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CALDERWOOD'S HISTORY

OF

THE KIRK OF SCOTLAND.

VOLUME SEVENTH.

THE WODROW SOCIETY,

INSTITUTED MAY, 1841,

FOR THE PUBLICATION OF THE WORKS OF THE FATHERS AND EARLY WRITERS OF THE REFORMED CHURCH OF SCOTLAND.

THE

HISTORY

OF THE

KIRK OF SCOTLAND.

BY

MR DAVID CALDERWOOD,

SOME TIME MINISTER OF CRAILING.

EDITED FROM THE ORIGINAL MANUSCRIPT PRESERVED IN THE BRITISH MUSEUM.

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BY THE

REV. THOMAS THOMSON.

VOLUME SEVENTH.

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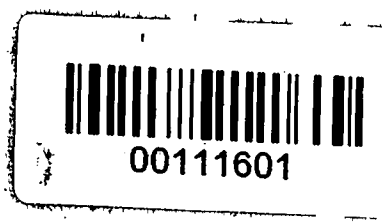

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CALDERWOOD'S HISTORIE

OF

THE KIRK OF SCOTLAND.

M.DC.IX.

THE BISHOPS DESCRIBED IN VERSE, LATINE AND ENGLISH.

THE bishops' intentiouns and corrupt proceedings being daylie more and more discovered, notwithstanding of their faire pretences, they were hated by all that had anie true affectioun to religioun; and as men's mouthes were opened against them, so some men's pennes were sett a worke in writting verses in Latine and English. In the beginning of Januar these verses following were cast in into the Tolbuith, and other places:—

"Vina amat Andreas, cum vino Glascua amores,
Ros cœtus, ludos Galva, Brichæus opes,
Aulam Orcas, allum Moravus, parat Insula fraudes,
Dumblanus tricas, nomen Aberdonius.
Fata Caledonius fraterni ruminat agri,
Rarus adis parochos, o Catanee, tuos.
Solus in Argadiis præsul meritissimus ovis,
Vera ministerii symbola solus habes."

These verses were putt this way in English :—

Sanct Andrewes loves a cuppe of wine, so Glasgow with a whoore,
Rosse companie, play Galloway, Brechin not to be poore;
Orkney the court, Murrey the pot, the Iles aye to deceave,
Dumblane to tricke, and Aberdeene a glorious name to have.
By chance Dunkell has lighted so, that Jacob he would be,
But, O good Cathnesse, when comes thou thy flocke to teache or see?
For light in doctrine they may all resigne it to Argile,
So faith has left the lowland cleane, gone to the hills awhile.

Againe these verses come in :—

"Ter quater et toto fuit unus apostolus orbe,
Nunc tot apostaticos Scotia sola foves.
Distat apostolico novus hic chorus ille ministros,
Pervigilis porcos hic habet, atque lupos.
Unus erat Satanæ myste, pars altera Christi;
Unus at hic Christi est, cætera pars Satanæ."

Which were this way in English :—

Thrise foure and one apostles were in all the world so wide:
Als manie false apostat preests, O Scotland, thee doeth guide, (or in Scotland now do byde;)
But marke great odds, the apostles were good watchmen, preachers fyne,
These apostats are craftie tods, and filthie dogs and swyine.
Of these, one was a devill, I grant the rest were Christ's indeid:
Of thir, one truelie preacheth Christ, the rest are devilish seed.

Bishops at this tyme: Mr George Gladestains, Bishop of St Andrewes; Mr Johne Spottiswod, Bishop of Glasgow; Mr David Lindsey, Minister of Leith, Bishop of Rosse; Mr Gawin Hammiltoun, Bishop of Galloway; Mr Andrew Lambe, Bishop of Brechin; Mr James Law, Bishop of Orkney; Mr Alexander Dowglas, Bishop of Murrey; Mr Andrew Knox, Bishop of the Iles; Mr George Grahame, Bishop of Dumblane; Mr Peter Blekburne, Bishop of Aberdeene; Mr Alexander Lindsey, Bishop of Dunkelden; Mr Alexander Forbesse, Bishop of Cathnesse; N. Bishop of Argile.

A VEHEMENT WIND.

Upon Thursday, the fyft of Januar, the wind did blow so boysterouslie, that the like was not heard in the memorie of man. Houses in burgh and land were throwne doun with the violence of it; trees rooted up, corne stackes and hay stackes blowne away. Some men passing over bridges were drivin over violentlie, and killed. The wind continued vehement manie dayes and weekes, even till mid Marche, howbeit not in the same measure that it blowed this day.

A CONVENTION.

Upon the 23d of Januar, Dumbar came to Edinburgh. Upon the 24th of Januar, beganne a generall conventioun of the estats, which was holdin in Edinburgh, to heare the report of the king's answere to the petitiouns of the last Generall Assemblie. The Bishop of Glasgow, Mr Johne Spotswod, rehearsed at great lenth the king's speeches concerning the approbatioun of all that was done at the last Assemblie; yea, he commended the same so farre, that he confessed, that if he had beene there in his owne persoun, he would nather have done more nor lesse than they had done. What concerned Papists and Papistrie, "that," said he, "his Majestie has granted absolutelie, yea, hath sent the Erle of Dumbar

armed with all authoritie needfull, to doe as they craved; but as for the brethrein that are under the king's displeasure, who were banished, imprissoned, or confynned, that if they would make an humble supplicatioun for their libertie, so gentle and clement was his Majestie, that he would be readier to grant nor they to sute." These things reported at lenth by the Bishop of Glasgow, and Mr William Cowper,—Mr James Law, Bishop of Orkney, Moderator of the last Assemblie, asked of the noblemen what they thought of the report? They all in one voice answered, they thought weill of it, and praised God from their hearts, for giving them suche a religious and gracious prince, who had suche a respect to the glorie of God, and good estat of his kirk, and hated everie thing that was prejudiciall to the same.

After this flattering answere, three or foure things past to grace the bishops: 1. That they sould be examiners of pedagogues that passed with noble and gentlemen's sonnes out of the countrie. No man opened his mouth in the contrare, whether presbytereis or bishops sould doe it, but the Erle of Marr. *Item*, That none suspected of Poprie, that are young gentlemen, be entered to their lands, except they have the bishop's recommendatioun to the Inqueist, and their testificat of their soundnesse in religioun. They were fishing all this tyme for the comissariats, quots of testaments, and other casualiteis, which belonged of old to Popish bishops. In end, mentioun was made of the conference which was to be holdin betweene the bishops and the ministers: for the Bishop of Glasgow inveyghing against Papists, and others, who said that the offer of the conference was but for the fashioun, and, therefore, in the meane tyme, there was a dealing against Papists to hold it off; but, said he, their purpose was not to drift it, but a day was appointed alreadie by the Erle of Dumbar, and commissioners of the Kirk, in Februar nixtocum; and for that effect, advertisement sould be made to all having entreis. He would have made men beleeve, that Papists were to be rigourouslie used, when as in truthe all was but for the fashioun that was done at this meeting, that they might gett the greater advantage at the conference, the king being

so weill thought of for putting at Papists; as also, to cleere the king of all dealing with the Pope in former tymes.

THE BISHOPS' DIRECTIONS SENT TO COURT.

After the dissolving of this conventioun, the bishops conveening together, thought it best to delay the day appointed for the conference, appearandlie that they might the better attend upon Secretar Elphinstoun's tryell, and make preparatiouns for the same. The Bishop of Galloway, Mr Gawin Hammiltoun, was sent up to court, to informe his Majestie of all things needfull for the furtherance of their course and advancement. The memorialls penned by Mr Spotswod, then Bishop of Glasgow, now Bishop of St Andrewes, but by the warrant and with the advice of the rest of the bishops sent at that tyme, I have heere set doun, just conforme to the principall, writtin with Mr Spotswod's owne hand, and found among Mr Gawin Hammiltoun's writts immediatlie after his death, which we have in our hands, to verifie the truthe of this copie.

MEMORIALLS TO BE PROPONED TO HIS MOST EXCELLENT MAJESTIE.

"1. You sall relate the proceedings of the late conventioun, and what affectioun some that were present kythed therin, that his Majestie may be forseene with men's dispositioun, for the better choice of these to whom the effaires sall be concredited.

"2. You sall remember the care we have had of reclaming the Marquis of Huntlie and Erle of Erroll from their errours, and the small profite we have seene therof, and insist for his Majestie's favour to the petitioun of our letter.

"3. Anent the ministers that are confynned, your Lordship sall excuse the requeist made by us in some of their favours, shewing how it proceeded; and further, declare that of late, they have taikin course to give in supplicatiouns to the counsell, for their enlarging for a certane tyme, for doing their particular bussinesses at sessioun and otherwise in the countrie; and that some of them

have purchassed licence by the votes of the counsell, howbeit we oppouned. Therefore, beseeke his Majestie to remember the counsell, that the confynning of these ministers was for faults done by them to his Highness' self, and that they sould be acknowledged and confessed to his Majestie, and his Highnesse' pleasure understood therin, before the grant of anie favour; otherwise, they sall undoe all that has beene hitherto followed for the peace of the church.

"4. Tuiching the erectiouns, it is our humble desire to his Majestie, that the noblemen in whose favours the same have beene past, may take order for the provisioun of their kirks, according to the conditiouns made in parliament, or then discharge their erectiouns, which seemes best to be done by an act in this ensuing sessioun of parliament, for which his Majestie's warrant would be had. And siclyke, some course would be taikin for the prelaceis erected which have past, also the constant platt; that the presentatioun of ministers to the modified stipends at the vacancie of the church sould be in his Majestie's hand, wherunto, though his Majestie's expresse commandement was givin of before, no heed was taikin by suche as had the charge of effaires.

"5. Since this mater of the comissariats importeth so muche to the reformatioun of our church governement, as this being restored in a little tyme, the rest may be suppleed that will be wanting, it sall be good to remember it by a serious letter to my Lord of Dumbar, that we may know in due tyme what is to be expected.

"And since our greatest hinderance is found to be in sessioun, of whom the most part are ever in heart opposit unto us, and forbeare not to kythe it when they have occasioun, you sall humblie entreat his Majestie to remember our sute for the kirkmen's place, according to the first institutioun; and that it may take at this tyme some beginning, since the place vacant was even from the beginning in the hands of the spirituall side, with some one kirk-man or other, till now; which might it be obteaned, as were most easie by his Majestie's directioun and commandement, there sould be seene a suddane change of manie humours in that state, and the commoun weale would find the profite therof.

"6. Anent our conference with the ministrie, your Lordship will declare the tyme that is appointed, and the reasouns of the continuatioun of the same.

"7. Becaus in the tyme of parliament cheefelie, it sould be expedient to have the bishops teach in the pulpits of Edinburgh, his Majestie would be pleased to commend this to my Lord of Dumbar by a particular letter; and to require also the ministers of Edinburgh to desire their helpe at that tyme, if it were for no other end, but to testifie their unitie and consent of mindes to the estat.

"8. Becaus the kirk of Leith lyeth destitut in a sort, through the Bishop of Rosse his age, and the imprisonment of Mr Johne Murrey, and that the said Mr Johne is no way minded, as appearit, to give his Majestie satisfactioun, nather were it meete, in respect of his cariage, that he sould returne to that ministrie, and to insist in his deprivatioun with the commissioners, might perhaps breed unto us a new difficultie; if his Majestie sall be pleased, we doe hold it most convenient for the earand, that the said Mr Johne be conveened before the counsell at his Majestie's command, and be then charged to waird in the toun of Newabbey and some myles about, having libertie to teache that people, amongst whom he sall finde some other subject to worke upon than the state of bishops.

"And for the provisioun of Leith, that his Majestie will be pleased to command the Presbyterie of Edinburgh, in regarde of the Bishop of Rosse his age, and the said Mr Johne's transportatioun by his Highnesse's appointment, to have care that the said kirk of Leith be planted with all convenient diligence, by Mr David Lindsey, sometymes minister of St Andrewes, for whom both the people is earnest, and we may have sufficient assurance to his Majestie's service. And incace the said presbyterie prove wilfull, that another letter to the same effect may be sent to the commissioners of the Generall Assemblie, who may take order to see that mater ended, if suche sall be his Majestie's pleasure; and this would be done with all diligence convenient.

"We cannot but remember also, the misorder creeping in the

countrie, that once was happilie repressed, wearing of gunnes and pistolets; and humblie beseeke his Majestie, that some new course may be established, by searchers of suche persons, and a delating of them to the counsell that they may be punished; and that the treasurer may have commandement to make choice in everie countrie of certane that sall be thought fittest to searche, which sall be knowne onlie to his Highnesse' self, and satisfie them for their paines, to the end this insolencie may be restrained; particularlie, it would be forbiddin in the granting of commissiouns, that this libertie be not permitted, for this is one of the causes of their so opin bearing, as said is.

"These particulars, your Lordship will have care to propone to his Majestie at some fitt tyme, and see the answeres therof dispatched accordinglie.

"GLASGOW,

"By warrant, and at the desire of the rest of my Lords the Bishops."

"Your Lordship sall remember my Lord of Cathnesse, and his pensioun.

"My Lord, When your Lordship sall speeke for the helpe of our kirks, by the fall of these men that possesse our livings, and doe justlie incurre his Majestie's indignatioun by their haynous offences, be pleased to remember the cace of Lanerk. The possessors of the tithes be now excommunicated, and at horne. Desire his Majestie's favour for the grant of them to Mr William Birnie, minister there, whose dispositioun your Lordship kens to his Majestie's service; and his Highnesse' letter to that effect to my Lord Treasurer, that he may be possessed in the same with all convenient diligence. Likewise remember the provisioun of Cramound, and the Bishop of Dunkelde's interest to these tithes.

"GLASGOW."

By these memorialls and directiouns may be perceaved the treacherie of the aspyring prelats. If anie man had asked at them

then, or will yitt aske, wherefore they sent up hard informatiouns to the king, prejudiciall ather to their brethrein of the ministrie, or other subjects, high or low? they would have deepelie protested, and protested diverse tymes, that they were innocent; and yitt, notwithstanding of the shew of reconciliatioun made at Linlithquo last, they regrait to the king the small favour that some of the confynned had gottin, and urge the confynement of Mr Johne Murrey, howbeit wairded in the Castell of Edinburgh, in a barbarous part of the countrie, and his place to be filled by another. They accuse counsellers, the Senators of the Colledge of Justice, and the Lords of Erectioun. They recommend to the king suche as furthered their course, that the king may understand whom he sall make choice of, as fitt instruments to advance their estat. And whereas they have made, and make the world beleeve that they are innocent of the directiouns that cõme from court, and serve for the weale of their estat, the reader may heere perceave, that howbeit the king was als earnestlie sett to sett them up in their full estat, which they denied they were seeking as they would wishe, yitt doe they direct the king, and lay doun overtures and meanes which may be steadable to that end. As heere we see they seeke that the presentatioun of ministers to modified stipends, and the vacancie of the kirk, be in the king's hand, to the end none sould be presented but suche as favoured their course, or at least would not oppose, as the event this day doeth prove. They seeke to have place among the Senators of the Colledge of Justice. They seeke a warrant to teache in the pulpits of Edinburgh, speciallie in tyme of Parliament, and that the ministers of Edinburgh may be moved to seeke their helpe, to the end that there might be a shew of unitie betweene them and the ministers of Edinburgh, as also to corrupt the auditors. And yitt, now when they have gottin that which they long gaped for, how seldome do they teache in Edinburgh, even when they have stayed some five or six of them together a whole sessioun tyme? We see how they spy out their owne commoditie in seeking the commissariats, which they obteaned soone after, as we sall see in the owne place. But there is

one thing may make the reader to muse, what sould have moved the prelats to seeke the wearing of gunnes and pistolets to be suppressed. It appeareth, their guiltie consciences have made them to apprehend danger, and feare to be shott. If we had all the memorialls and directiouns which they have sent up to court from tyme to tyme, we might have greater falshood and knaverie discovered nor is lyke to come to our knowledge, or likelie to be found in men of anie calling whatsoever.

THE MINISTERS OF EDINBURGH PLACEBOES.

About the end of Februar, the ministers of Edinburgh aggredged publictlie in sermoun Secretar Elphinstoun's fault. Manie wondered that they were silent till that tyme, seing the knowledge of that fact came to their eares before. It was thought they had Dumbar's speciall directioun so to doe. They were als readie to pleasure the court as anie men.

Secretar Elphinstoun proceedeth in the relatioun of his trouble as followeth :—

SECRETAR ELPHINSTOUN'S CONVICTIOUN AND DOOME.

"Being come to Falkland to my waird, and more hardlie used nor I did expect, I directed to court my cousin Pitlourie, to putt the Erle of Dumbar in memorie. My worthie freind the Lord Burlie tooke the paines likewise to goe there to make all former conditiouns sure. And as I was informed, his Majestie directed no further, but that in a Justice court, to be holdin at St Andrewes, (for I desired it sould not be in Edinburgh,) I sould become in will, and his Majestie to declare his will at his pleasure. But when my Lord of Dumbar came to Edinburgh, and found that Sir William Hart, (who had gottin a promise of my place in the Court of Sessioun to putt me to an assise,) and my Lord Collector to be assessor, and a number of assise that would convict me upon my owne confessioun, which is more than to gett me in will, the Erle

of Dumbar having advised with the bishops, durst leave nothing undone of extremitie against me; and the collector being more circumspect nor the rest of his fellowes, and most desirous to have me sure, resolved the erle, that none of my depositiouns made in England would serve against me except I ratified them heere. Wherupon the coming of the counsell to Falkland was appointed. And although I had beene verie carelesse of that mater, becaus I was certified that there was no more adoe but to take me judiciallie in will, yitt knowing of their coming to Falkland, I imagined at the first the caus of it, and was resolved to have past from everie point of these depositiouns, except onlie the naiked veritie of the deid, wherupon no cryme could follow. For most lawfullie I could have come against my depositioun, becaus it was made extrajudiciallie. And incace they would make the counsell of England a judicatour, first, it was subscribed not before the counsell, but in the Erle of Salisburie's cabinett, before so manie of the counsell as are before mentiouned. Nixt, the counsell of England could be no judge competent to me, lyke as I had lawfullie declynned them of before. Farther, it was made upon the conditiouns above mentiouned, which I would have referred absolutelie to the Erle of Dumbar's oath. Last, it was revocable, as made for feare of my life, or perpetuall imprisounment in the Towre; and if they would have made my dittay treasoun, becaus it is so called in my depositioun, the calling of a deid treasoun *non mutat naturam facti.* As if I would confesse I had tratorouslie conspired to kill one of the king's buckes, would not convict me of treasoun, or that I had treasonablie brokin waird, being committed for fourtie pund of civill debt. So the procuring of a commoun letter of recommendatioun, conteaning no treasoun, prejudice to the king nor estat, could never be treasoun. And wheras it was affirmed to tuiche the prince's honour, the king did never refuse to acknowledge the Pope as a Catholick prince, to whom he acknowledged himself bound. And so it was no dishonour to him to write to him, seing the greatest princes of Europ doe it ordinarilie, both of the reformed religioun and others. That that letter was prejudiciall to his Ma-

jestie, his religioun, countrie, or state, it could never be verified; for except my owne depositioun, (revocked as I have said,) there could be no other verificatioun ather by writt or witnesses. So, no honest judge nor assessour that had ather conscience or honour could have susteaned suche a dittay; and if they would have made it *crimen falsi* out of the Lawes of the Majestie, I would have denied that my life could have beene judged by the Majestie, more nor an hundreth kyne may be satisfactioun for the king's murther, which the Majestie calles killing. I remember Mr Thomas Craig answered to *generaliter verum, generaliter falsum,* in a civill mater, '*Quibus casibus tenetur hæres præstare factum paternum,*' which is lesse nor my life. Lastlie, that word '*Charta domini regis*' is not to be understood of a privat missive whereby the king or a partie is not prejudged, but a charter or evident, whereby ather the king or a subject may lose his right. If they would have made it out of the decretalls, cap. 5, *de Judiciis,* albeit it say, '*non esse immunem a crimine falsi,*' yitt according to all the doctors, it must be understood to be *scriptura damnosa et fraudulenta.* For *omne crimen falsi* is not *capitale, ubi neque et damnum neque esse potuit,* but onlie to be punishable *arbitrio judicis pro ratione rei et personarum.* And this is the cleere resolutioun of Julius Clarus and all the doctors. So, albeit I had never consulted anie advocat, nor had never anie bookes to studie the mater, yitt the light of reasoun was so cleere as no judge but Sir William Hart, whom I might lawfullie have declynned, would have susteaned suche a libell.

"The Erle of Dumbar fearing I sould alter upon this new alteratioun, sent the Lord Burlie unto me, who, as he dealt ever honourablie with me, so I was plaine with him, that I would not stand to my depositiouns made in England, and that I would challenge the erle upon his oath, of the conditioun made unto me at the subscribing therof. There was great intercessioun made that I would have regarde to the Erle of Dumbar's credit, and the advantage both my publict enemeis and his secreit ill-willers would make, if that turne were not done to his Majestie's contentment; and that, however I might resist his Majestie at this tyme, (wherof

the event, in respect of the honest dispositioun of the judge and principall assessour, was uncertane,) yitt I would be keeped in continuall prisoun; and seing the Erle of Dumbar was willing to secure all things promised before, a sentence of convictioun was no more hurtfull to me, nor ather a comming in will, nor entering in a contestatioun with the king, having so great enemeis both at court and at home. In end, upon promises renewed, and my desire of quietnesse, and that my enemeis sould acquire no more credit by my troubles, and conditiouns past betuixt the Erle of Dumbar and me to stand sure, I was content to abide at my former depositioans. So the Erle of Dumbar, in presence of the Lords of Skoone and Burlie, both after particular assurance and solemne oath to my self, renewed what he had promised before, anent my life and estat, and that he knew perfytelie it was never his Majestie's minde to take my life.

"Nixt followed my convictioun at St Andrewes, wherin I was the onlie actor myself, to give his Majestie satisfactioun, following in everie point the Lord of Dumbar's directioun, brought to me ather by the Lord Burlie or the Lord Skoone."

"COPIE OF THE SPEECHE I HAD AT ST ANDREWES, AT THE TYME OF MY CONVICTIOUN.

"There is none of your Lordships but understand sufficientlie, that if I would stand contentiouslie to my defences, no depositioun made by me in England could prejudge me in anie tryell criminall I was to susteane. Nevertheless, as in all this actioun from the beginning, I have preferred the truthe and his Majestie's innocencie, to the preservatioun of my life and estat, so I am so farre from retreating what I have said there, before that noble and most grave counsell, that if in anie more cleere termes I could aggravat the just desert of my owne haynous offence, and make his Majestie's undefiled sinceritie and innocencie knowne to all the world, I would most willinglie doe the same. I were not worthie life, if my life, that has had no happinesse but under the glances of his

benignitie, sould labour to be preserved with the smallest imputatioun that might staine his Majestie's honour. No man better knoweth his Majestie's naturall clemencie, and how unwillinglie his Majestie is forced with this sincerjtie, to prosecute the truthe of this calumnious imputatioun, which by my abuse of his trust is drawin upon his most innocent Majestie. Therefore, I ratifie whatsoever I have formerlie depouned; and if no otherwise his Majestie's honour may be sufficientlie exonered, I willinglie offer my blood and poore estat to expiat my offence, and to teache others by my exemple to goe no farther in their master's service than they have sufficient warrant."

"But immediatlie after the ratificatioun of my depositiouns in Falkland, the Erle of Dumbar sent my Lord Burlie to court, to shew his Majestie what satisfactioun I had givin, to procure me all the favour he could, and to hold my freinds there bussie. Lyke as the erle concluded, that immediatlie after my convictioun, my brother sonne sould goe post to court for my remissioun, and that the Lord Burlie sould stay his comming, and concurre with him to that effect. And albeit it was promised to me by my Lord Burlie, in the Erle of Dumbar's name, that Ropar's reversioun sould be safe to me, yitt the said erle, fearing Sir Robert Ker's credit, made me to yeeld to passe that to him, which was the best hope I had of the releefe of my great debt, and helpe of my childrein.

"So, as I haye in all this, from the beginning, allutterlie reposed upon the Erle of Dumbar, and by his onlie meanes am brought in this miserie, out of the which, if, according to his mynie promises, he releeve me, I and all myne are the more bound to him; otherwise, there is a God in heaven will have regarde to his dealing, and ather heere or hence he will suffer for it. The vile and detestable ingratitude of Sir Alexander Hay, I am sure, the Lord will not suffer unpunished. As for others of our natioun, who have little regarde wherefore I suffer at Englishmen's hands, God forgive them. The day will come, that they or theirs will weepe for it. I pray God blesse his Majestie, and that his undeserved rigour against me, (who I am sure is perswaded in his heart, I never

thought an unduetifull thought against him, his crowne, countrie, nor estat,) be not layed to his charge in that great day, when his crowne and scepter will be layed at his feete, and he must yeeld a reckoning of his stewardship. And so may I be judged, if I had anie other course in all that, or anie other service that ever I was putt in trust of by his Majestie, but his Majestie's weale and honour, and the libertie and good of my countrie, which is miserablie comming in a vile servitude, the foresight wherof is all my wracke.

"This is the naiked truthe of all this mater, writtin in suche haste, and at suche occasiouns as I could, in respect of my strait keeping. And whatever for his Majestie's satisfactioun I have writtin or said, upon the false promises and tratourous intysements of these whom I trusted, different from this my cleere and true depositioun, as God is my witnesse, it is false.

"J. BALMERINOTH.

"Falkland, the 10th of May, 1609."

It is to be observed, first, that when Secretar Elphinstoun, the Erle of Lothian, and the Collector, Sir Johne Prestoun, were directed from the lords conveened at Linlithquo, to the ministers imprissoned in Blacknesse, who were to underly the tryell of an assise, these three craved conference with Mr Johne Forbesse and Mr Johne Welshe apart from the rest, thinking that if they could enduce them to confesse a fault, they would move the rest of their fellow-sufferers. After manie speeches had past to and fro among them, Secretar Elphinstoun said, "We know weill eneugh what yee are doing. It is a shame to you to pretend constancie, or to suffer for suche a mater that is so light, howbeit yee would make men beleeve it to be a mater of great weight and importance." Mr Johne Welshe answered, and said, "Weill then, since your Lordship has spokin so, I will tell you some thing wherof I cannot weill tell the warrant: that your Lordship sall suffer for a more shamefull caus, in the sight of the world, er it be long." This I have by the report of Mr Johne Ker, whom Mr Johne Welshe tooke by the hand, to be witnesse to the speeches which were to

passe among them. And so yee see it come to passe: for when he was accused criminallie, at St Andrewes, upon the 10th of Marche, the Erle of Dumbar and sindrie of the nobilitie being present, the king's advocat, Sir Thomas Hammiltoun, accused him of surreptitious procuring and sending the king's hand-writt to the Pope, and treasonable affixing of his Majestie's signet thereto; of treasonable traffiquing with forrainers, to the overthrow of religioun; and occasioun givin to Papists to intend the powder treasoun, and other treasouns committed since his Majestie's going to England.

Nixt, it is to be observed, that when he was brought from Falkland to Leith, after his convictioun at St Andrewes, and was receaved by the toun of Edinburgh in their armour, when he came to Leith Wynde foote, or the Neather Bow Port, he was commanded to light off his horse, for they would receave no ryding prisoners, he excused himself with the infirmitie of the gutt in his feete, and willed them to shew him that muche courtesie, as to suffer him to ryde fordward. One of the toun standing hard beside, answered, "Pamfara, tantara, my lord!" Now, when some directed from the counsell of Edinburgh not long before his fall, requeisted him not to mainteane one of his dependers against them in an actioun they had against him, for they could be more steadable to him nor that man, he answered, "Pamfara, tantara!" This taunt is now repeated to him with a taunt, and he was forced to light off his horse.

Thridlie, it is to be observed, that the doome being delayed after his convictioun at St Andrewes, till his Majestie's farther pleasure were knowne, and pronounced in the Tolbuith of Edinburgh, upon the 1st of Marche, in presence of the Justice and Lords of Counsell; after reading of his dittay and convictioun, that he sould be beheaded, quartered, and demaimed like a tratour, and his members to be sett upon the ports and cheefe touns, yitt he appeared to have some good hope of releefe. He would have spokin something, but could not utter his minde. The Erle of Dumbar commanded to remove him incontinent. After dinner he was convoyed to Leith Wynde foote, and delivered to the Shireff of the Shyre.

But manie woundered wherefore he was suffered, when he went out of Edinburgh, to carie his sword about him. It was thought strange, that suche a thing sould be suffered in a condemned tratour. Some thought, therefore, there was no danger; others, that he was caried to Falkland, that he might suffer there, where the fault was committed: and [he] died after in displeasure, fearing ever the worst.

Fourthlie, it is to be observed, that about this tyme the king's reply to Matthæus Tortus, with a monitorie preface to the Emperor and all Christian princes, came furth in print. No mentioun was made in that booke of Sir James Elphinstoun's confessioun of depositiouns, which might have served to great use to have purged him of Tortus his imputatiouns; yea, when he was in England, and had come in the king's will, the king could not be content till he subscribed his depositioun, as Dumbar assured him, becaus the not subscribing hindered the progresse of the king's answere to Tortus' booke, wherof his depositioun behoved to be a part. He therefore sett to his hand, in the presence of some noblemen and others, as yee may see in his owne relatioun. Becaus the depositiouns were omitted in the answere to Matthæus Tortus, and upon other considerationns, manie doubted of the sinceritie of this proceeding against him, and suspected that he had taikin upon him the cryme, to currie the king's favour, by keeping his credit. Mr Andrew Melvill, indeid, in a letter, writtin the 23d of Marche, to his nephew, Mr James, setteth doun his opinioun in these words: "De judicio Andreano quid ego sentiam, uno verbo accipe; Juglerie juglare fuit, est, et erit, ut ego præsentio contra nos vero seria omnia et serio. 'Nescit regnare, qui nescit dissimulare.' 'Since heart is free,'" etc.

Fyftlie, it is to be observed, that the bishops, notwithstanding of his paines and diligence taikin at Linlithquo, and the manie proclamatiouns penned by him spytefull eneugh against the ministrie, they prove now at this tyme his great enemeis, and none so bussie to seeke his overthrow. It may be, the small countenance he kythed in counsell in favour of Mr Johne Murrey, or the like occasiouns, have

givin him occasioun to seeke his removall out of the way, that another statesman more foreward for their course may be placed in his rowme. But then, we may see the deepe malice and hatred of aspiring prelats, that seeke the overthrow of all that stand in their way.

DUMBAR KEEPETH ST GEORGE'S DAY.

Upon the Lord's Day, the 24th of Aprile, Dumbar made a solemne feast in the toun of Berwick. He was served as one of the Knights of the Garter, by lords, knights, barons, and gentlemen of good ranke. A great number of people, both Scotish and English, were at that feast, which was made according to the English fashioun. Beside this feast made in honour of St George, the patron of England, he used certane ceremoneis in the kirk; for he went to the kirk in pompe, where were standing upon the altar two chandlers, eache having a waxe candle burning, and a booke upon the altar. He bowed himself reverentlie upon the altar, in remembrance of St George. Therafter, he made reverence to the king's picture placed beside, and then kneeled doun on his knee before the altar, where was a man standing beside with a silver basin, wherin he layed some peeces of gold. After this offering made, he heard a sermoun, wherin was muche commendatioun of the king, and of the Erle of Dumbar. After sermoun, he went to dinner, convoyed with lords, knights, barons, gentlemen, and souldiours.

MR J. MURREY TRANSPORTED AND CONFYNNED.

The bishops, in their memorialls sent up to court with Mr Gawin Hammiltoun, Bishop of Galloway, desired that Mr Johne Murrey might be transported out of the Castell of Edinburgh, and confynned in Newabbey and some myles about it, and that his place in the toun of Leith might be filled with another, and that with diligence; which was obteaned. When the directioun came

from the king to the counsell, Mr Johne was brought out of the castell, and presented before the counsell. He was first removed; and the Erle of Dumbar, then present, dealt earnestlie with him to goe the bishops' way, for the king's pleasure, and his owne peace and profite, which he promised sould be large, and that he would not still insist in offending the king. He answered, "I will not dissemble with your Lordship, nor deceave his Majestie: that is the way wherin I will never walke, seing in my conscience, and to my knowledge, I am perswaded it is wrong." So he was called in, and the king's letter was read, wherin his confynement, with all the circumstances therof, were sett doun, viz., That he sould within twentie dayes goe to Newabbey, and there keepe within the compasse of foure myles; preache not, goe not to Leith before his departure. He answered, "As for my calling, and the libertie therof, I have it from the Lord Jesus. As for my confyning, I have not by anie kinde of misbehaviour procured it. As I was ever willing, so now, I submitt myself to the straitest tryell. That is his Majestie's will, but I know not his Majestie's intentioun, whom I never offended. It is the device of men maliciouslie disposed against me, without a just caus, for their owne particular ends, with whom I might more than compare simplie; for I may preferre myself in all loyall obedience to his Majestie, both as a minister and as a subject." These words he uttered with gravitie and reverent respect to the counsell. Mr Johne Spotswod, the cheefe contriver of his trouble, was standing behind him. The bishops were dashed, the counsellers sorrowfull for suche rigourous dealing against him, and would gladelie have mitigated some circumstances of his confynement, but feared, becaus the bishops were as captors and delaters among them.

After he went out from the counsell, Chanceller Setoun gathered some courage, and in presence of the Erle of Dumbar, the bishops, and all that were present, he affirmed, that it was a most unbrotherlie and barbarous dealing in the bishops, to putt one of their brethrein of the ministrie from the place where he exercised his calling, and lifted his stipend, and cast him out to a farre re-

mote and unknowne part, where he had no provisioun allowed to him. His calling, qualitie, and the gentlewoman his wife's qualitie, craveth another kinde of respect and charitable discretioun. They answered nothing, for malice has no compassioun nor discretioun. So Mr Johne went to Dumfreis, which is distant foure myles from Newabbey; there he made his residence, and helped the minister in preaching, notwithstanding he was discharged by the king's letter read in the counsell. He had not suche a faire occasioun to preache at Newabbey. In the meane tyme, the bishops were carefull to plant Mr David Lindsey, one of the ministers of St Andrewes, in his rowme, notwithstanding of the protestatioun of the parochiners made in the contrare; for extruding and intruding of ministers were become now familiar and ordinarie with the bishops, howbeit they had not yitt gottin episcopall jurisdictioun, but onlie abused the authoritie they had purchassed by false meanes from corrupt assembleis, viz., the power of commissioners from the Generall Assemblie.

He stayed in Dumfreis about a yeere and an halfe, preaching ather in Dumfreis, or at the kirk of Traquire, on the other side of Neth water, where the parochiners were for the most part Popishlie affected. At lenth, perceaving that his wife and children were beginning to be wearie, and grow sickelie, and there was no end of the bishops' malice, he resolveth to transport himself and his familie to a more convenient part, after he had considered he could be in no worse cace nor he was, incace he were challenged, all meanes and maintenance taikin from him where he was before at Leith, and holdin from him where he was confynned. So, without licence of king or counsell, he transported himself and his familie to Dysart, where he remained privatlie halfe a yeere, and then came over to Saltprestoun, where he came furth in publict, preached everie Sabboth day, and was never challenged by the bishops; for they had gottin a prooffe, that hard dealing could not daunton him. So we see, how in tyme of truce, and after reconciliatioun made at Linlithquo with lifting up of hands, what hard dealing the bishops have used against the said Mr Johne, howbeit

he was not convicted of anie cryme, ather at his first or last compeering before the counsell.

MR J. HAMMILTOUN AND PATERSONE APPREHENDED.

In the moneth of May, Mr Johne Hammiltoun, the Apostat, some tyme Professor of Theologie at St Andrewes, a great traffiquer among noblemen, was apprehended, and a preest called Patersone, with his masse cloths. Interteanement was allowed them als long as they were in waird. But ministers confynned in parts farre distant from their owne parishes, Mr James Melvill, Mr Johne Murrey, Mr Charles Farholme, and others, were putt to their shifts. Patersone was apprehended in the Cannogate, at a masse, at which were about threttie persons. So bold and peart were Papists become, yea, they never practised so bussilie and openlie as at this tyme, notwithstanding of all the great threatnings used to beare them doun. They apprehended them not as meant seriouslie, so long as the worthiest and best of the ministrie were worse intreated than they.

MR J. MELVILL'S ADVICE ANENT THE CONFERENCE.

The tyme of the conference, which was to be holdin at Falkland drawing neere, Mr J. Melvill sent this advice following to the cheefe that were chosin for the sincerer sort:—

"Cleere yourselves of particular respects, and other imputatiouns which may be layed upon you, ather by suche as indeid know not, or by suche as being blinded with prejudice, will not know your upright meaning anent the peace of the kirk, and Christian unitie among the ministers therof.

"Dilate the greatnesse of that purpose committed to you by the Generall Assemblie, who of their owne wisdom, by the knowledge of a great part of you, have by their ordinance brought you in this conference, and your owne wants, weakenesse, and insufficiencie, for performing anie thing answerable to the expected issue of the

same; and in regard of the one and of the other, protest, that incace offence be taikin of anie thing wanting in you, or proceeding from you in the said conference, that the same may be covered with the skirts of charitie; and that yee, for anie suche caus, be free of all blame and danger at the hands of all, as if the said conference had never beene intended; and modestlie intreat for sufficient protectioun to that effect.

"Lett your commissioun be read, and before anie farther proceeding, agree upon the meaning and limits therof; viz., that it intends no farther, but to remove the eylasts and controverseis among the brethrein of the ministrie of the kirk within this kingdom, anent the externall governement and discipline, etc.

"Becaus that suspiciouns, alledged injureis, and familiaritie with long distractiouns ruffled and hurt, have made the brethrein's heart easilie to be accused, and swiftlie caried with suddane motiouns, whereby by jangling, the handling of maters may be disturbed, and the event of the conference misreported, and so the said distractiouns increased and augmented, it is the surest and safest way for the weale of that purpose, that the maner of handling in plaine and succinct forme passe by writt.

"Distinguish warilie the brethrein among whom the alledged controverseis are ranking on the one side, the reformers of the Kirk of Scotland, and their followers; and on the other, the brethrein who have left them, and their judgement established by the kirk.

"Distinguish betwixt the controverseis of the kirk, and the contrare assertiouns of privat brethrein, which are *extra controversiam* in the kirk, ather by plaine conclusioun and act, or ellis by custome and practise.

"Affirme cleerelie and constantlie, that yee mainteane the discipline appointed and practised by the kirk, and that yee have nather brotched nor givin out opiniouns nor practises different from the same, muche lesse contrare or prejudiciall thereto.

"Affirme that the brethrein on the other side have practised in prejudice of the established discipline, and in maters of the kirk

not onlie without the warrant therof, but contrare to the expresse acts of the same, lyke as they have givin out brutes of intended alteratiouns.

"Incace they offer to impugne or improve the established discipline, or anie part therof, or present to consultatioun anie eekes or alteratiouns whatsomever, as commissioners of the Generall Assemblie, constantlie to cleave to your commissioun. And except yee sall see anie evident advantage whereby your travell may be compted acceptable to the said Assemblie, breake not their generall in particulars; but as privat brethrein and schollars, offer to defend the established discipline, and Christianlie to impugne what can be said in the contrare therof.

"For the effect conteaned in the former article, desire your brethrein to sett doun, fullie and plainlie, their intended eekes and alteratiouns; and for qualificatioun of the eight article, omitting particulars done to brethrein and their estats, exhibite in convenient forme these greeves following:—

"1. The omissioun of the necessarie dueteis committed to them by the Generall Assemblie, anent planting of kirks, and provisioun of ministers by a constant platt; the removing of offences conceaved by his Majestie against brethrein; and intaiking upon them to doe the speciall effaires of the kirk by themselves, neglecting a great part of their fellow commissioners, as also presbytereis and provincialls, contrare to the will and intent of the commissiouns of the Generall Assemblie givin unto them, for the purpose above writtin respective.

"2. That the commissioners, voters in parliament, have nather in their entrie, nor continuance and proceedings, keeped the caveats of the Generall Assemblie; but have intended to have some of them abolished, and others made voide, seeking no leave nor advice of the kirk heeranent: and lett everie brother be particular heere, according to his knowledge.

"3. The speeches uttered, and the promises made in the last conference at Falkland, for the confort and releefe of distressed brethrein, and restitutioun of interrupted Assembleis, have taikin no effect."

MR P. SIMSONE'S LETTER TO THE BRETHREIN OF THE CONFERENCE.

Mr Patrik Simsone, deteaned by infirmitie of bodie, sent this letter following to the brethrein of the conference for excuse, and conteaning with all his advice and admonitioun:—

"RIGHT REVEREND BRETHREIN IN CHRIST JESUS,—Seing my infirmitie doeth not permitt me to be present at your godlie meeting, I have thought expedient with my letter to supplee my absence, as the custome has beene in the church at all tymes, whensoever distance of place, debilitie of bodie, or anie other urgent necessitie, compelled these persons to be absent whom duetie and calling required to be present. Therefore I will intreate you, brethrein, for the merceis of Christ, to advise in good part this my short writting, and to have in good remembrance these two things which our Lord Jesus, as he craved cheefelie for his disciples in his last exhortatioun, Johne xiii. 14, 15, to witt, Unitie and Sanctificatioun. And lyke as these of our opinioun were cheefelie to be exhorted to unitie, becaus that the marches of God's commandements were brokin by some through words of fleshlie contentioun, rather rankling the wound nor healing the sore of our diseased church, so likewise, some of the other opinioun were to be exhorted to sanctificatioun, becaus promises, oaths, and subscriptiouns, are the most infringable bands of humane societie, and are lyke to the cords of the sanctuarie of God, tying the beast that was to be sacrificed so fast unto the hornes of the altar that there could be no way of escaping; and if there were anie words cast furth, meaning a farre off, to infringe and breake the cautiouns of the church, it were not amisse to exhort these persons to sanctificatioun, and to keepe the oath and covenant of God with all fidelitie and faithfulnesse. Lett these things that are past, I pray you, be past over in love, and lett no man thinke he is so compleitlie perfytted in all kinde of good gifts, that nather can he spott a good worke through his infirmitie, nather yitt that an evill worke can in suche wise spott and defile him that he sould have no neid of publict or privat admonitiouns.

"Now, brethrein, seing yee are mett at Falkland through the permissioun of God, lett it not greeve you to heere these few supplicatiouns in the name of Christ. 1. That there be no disputatioun against the established church governement within the realme, becaus there is no particular commissioun from the Generall Assemblie so to doe; as likewise, becaus it is more competent to another generatioun to enter in reckenning in suche questiouns, than to us, who are not onlie bound by our owne promises and subscriptiouns, but also we have induced others by their travells to submitt themselves unto the discipline as unto the undoubted ordinance of God. 2. I exhort you again, for the merceis of Christ, that whatsoever subject yee reasoun upon, yee absteane from hote and contentious disputatiouns, the event wherof hath beene found so pernicious and hurtfull, that the church, even at that tyme when both parteis seemed in sinceritie to protest, that it was veritie and not victorie that they craved. So corrupt is our nature, ever striving to have the badges of our owne honour spread out, even in the day wherin all other things sould be forgott, and the standard of Christ his everlasting truthe allanerlie sould be displayed to the world. Have in good remembrance, brethrein, the disputatioun at Montpelgard, *anno* 1586, wherin our brethrein of the Frenche and German churches parted in wrathe, and the houre of that sundering, *dextræ fraternitis* was refused by the Germans, and *dextræ amicitiæ* was not receaved by the Frenche church; and the grave exhortatioun of the noble lord Friderick, Duke of Wirtenberg, could not prevaile so farre as to make them part als peaceablie as they mett. Finallie, I intreat you, brethrein, for the merceis of Christ, that yee have some regarde to these ravenous woolves that are in expectatioun at one tyme or other to find occasioun to teare us all in peeces. Remember of your gracious soverane, and irritat not his Majestie in no cace so farre as in you lyeth.

"Finallie, lett not the hearts of our weake freinds be discouraged by the new glaming flammes of hote contentioun, which seemed to be somewhat refreshed by our late meetings, wherinto the hote fire was not proved with the sharpe sword. The overtures of our first

meeting at Falkland, I pray God they may be throughlie condescended upon in this meeting; that the cautiouns of the church may be inviolablie observed; the brethrein who are absent out of the countrie, or confynned within the same, may be restored to their rowmes; that we may be as the bodie of one holie Israel of God, assembled to fight against Amalikits, Moabits, Canaaanits, and suche other cursed natiouns, whose number multiplieth so exceedinglie amongst us. Thus wishing upon the knees of my heart a blessing to your present meeting, committs you and your travells to the blessing of God."

The conference appointed by the last Assemblie was holdin the fourth of May. The king's commissioners, Dumbar, Wigtoun, Skoone, and Fentounbarns, were present. After reading of the commissiotin of the Generall Assemblie, the king's missive, and Mr Patrik Simsone's excuse, the king's commissioners urged a conference of five of either side, two of themselves being present. The ministers demanded what were the controverted points of discipline, what in proper sense could be said to be the controversie, and what not; what brethrein were alledged to be on the one side and what on the other; and by what authoritie that conference could make the generall commissioun speciall, or call in questioun anie point of discipline established by the kirk and ratified by law and practise. Muche tyme was spent, but no cleere answere returned. The sincerer sort stood to the commissioun, which was to reasoun upon controverseis anent the discipline, but refused to admitt anie thing for a controversie in discipline which was established by law. Some threatning words were uttered against them, that they sould be sent from whence they come becaus they were refractorie. The ministers standing for the established discipline urged that the conference sould passe in writt, which was altogether withstood by the bishops.

At lenth, when the bishops could not atteane to their intent, two questiouns were cast in confusedlie: First, whether the moderators of presbytereis and provinciall assembleis sould be constant or circular. Nixt, whether the caveats sould be keeped or not. The

bishops had a craftie convoy in this, for to make a Lord Bishop voter in Parliament, loosed from all cautiouns, a constant moderator, is in effect to sett up a Papall bishop. To the first it was answered, that it was agreed at the Assemblie of Linlithquo, that the order sould stand as an *Interim* till the nixt Generall Assemblie. To the secund it was answered, that the caveats were acts of the Generall Assemblie, made for restraining the corruptiouns of voters in parliament, and could no more be called in questioun than anie other act concerning that vote. After diverse assayes to draw the ministers of the established order, but in vaine, the whole commissioners considering the generalitie of their commissioun, and moved with other respects, continued their conference till the first Tuisday of August, and willed everie one of their number to advise upon the said questiouns, and to be readie to propone their mindes by word or by writt as they sall thinke fittest.

The proceedings of the conference, as they were formallie sett doun at that tyme, heere followeth:—

THE PROCEEDINGS OF THE CONFERENCE AT FALKLAND, 4 MAIJ 1609.

The Erles of Dumbar and Wigtoun, my Lord Skoone, and my Lord Fentounbarnes, Collector, Commissioners for his Majestie; Mrs George Gladestains, Johne Spotswod, Alexander Lindsey, Alexander Forbesse, Patrik Schairp, Robert Howie, Johne Mitchelsone, Henrie Philip, and George Hay, for the bishops; Mrs Patrik Galloway, Johne Hall, William Scot, Archibald Oswald, Johne Knox, Johne Carmichaell, Adam Bannatyne, Johne Wemes, and William Cowper, (Patrik Simsone being absent,) mett in that chamber which was her Majestie's for discharging a commissioun directed from the last Generall Assemblie holdin at Linlithquo the 29th day of Julie, 1608 yeeres. In the which meeting, the said commissioners proceeded as followeth:—

Sessioun 1. After prayer and a short speeche uttered by Mr James Law, moderator, the commission of the Generall Assemblie was read, wherof the tenour followeth:—

At Lithlithquo, the 29th of Julie 1608, *post meridiem*. As for the secund caus of eyelasts which are said to arise from diversitie of opiniouns, becaus the said diversiteis of opiniouns result upon different judgements among the brethrein concerning the externall governement and discipline of the kirk, which cannot so shortlie be discussed and advised upon as the brevitie of this Assemblie permitts. Therefore, it was the opinioun of the brethrein appointed for the advising of the best overtures anent the distractiouns and eyelasts that are entered in the hearts of the ministrie, that the samine sould be delayed till a tyme more convenient, and in the meane tyme, certan appointed to reasoun, treate, and advise upon the same. Which likewise the Assemblie has thought expedient; and therefore they have elected and chosin the brethrein after following, viz., the Bishops of St Andrewes, Glasgow, Dunkelden, Orkney, Cathnesse, Mrs Patrik Schairp, Robert Howie, Johne Mitchelsone, Henrie Philip, George Hay, Patrik Galloway, Johne Hall, Patrik Simsone, William Scot, Archibald Oswald, Johne Knox, Johne Carmichaell, Adam Bannatyne, Johne Wemes, and William Cowper, their commissioners in that part, to conveene with his Majestie, or suche of his Majestie's commissioners as his Highnesse sall appoint, at suche tyme and places as they sall be required by his Majestie, to treate, reasoun, and consult upon all maters standing presentlie in controversie among the brethrein anent discipline of the kirk. And whatsoever they agree upon, to report to the nixt Generall Assemblie; and in the meane tyme, whill the nixt Assemblie, the advice of the brethrein conveened at Falkland the 16th of Junie last bypast be observed, anent the constant moderator.

Upon the margin, this is named, "A Commissioun anent Reformatioun of Discipline."

There was read also his Majestie's missive letter, and a letter of excuse from Mr Patrik Simsone.

And therafter, a motioun was made by his Majestie's commissioner, and propouned by the moderator, that five of either side sould be putt apart, to sett doun an order of proceedour.

After some reasoning upon the said propositioun, and some objectiouns against the same, it was admitted and followed. And for the bishops were named St Andrewes and Glasgow, Patrik Schairp, Robert Howie, and Henrie Philip; for the ministers, Patrik Galloway, Johne Hall, William Cowper, Johne Carmichael, and William Scot.

The Erle of Dumbar, my Lord Fentounbarnes, James Law, moderator, and the ten which were nominated and chosin, removed, and went into his Majestie's chamber, where the commissioun was read againe; which being considered, was thought verie generall by some; and for limitatioun therof, the particulars after following were propouned by the ministers. 1. That the brethrein among whom the alledged controverseis were sould be particularlie named, at least some way designed, whereby one partie might be knowne by the other. 2. It was required that the alledged controverseis sould be denominated and condescended upon.

For cleering of the first point, these for the part of the ministrie declared, that they were one in judgement with the godlie fathers, reformers of the Kirk of Scotland, and suche as had from tyme to tyme in Generall Assembleis appointed the discipline, and obteaned ratificatioun therof. As also, that they esteeme the discipline appointed by the kirk, and ratified by the lawes of the countrie, to be most godlie and meete for the ruling of Christ his kirk within this realme. These of the other opinioun came to no particular nominatioun nor designatioun, whereby their difference from suche as had established the discipline might be perceaved.

For better understanding of the secund, the ministers desired that distinctioun be made betuixt maters standing in controversie amongst the brethrein, and maters *extra controversiam* in the kirk, in which cace, they take to be all things concluded in lawfull Generall Assembleis. *Item*, That cleere difference might be made betuixt privat brethrein's opiniouns and conceats, (putt cace their number was great,) and maters in controversie in the kirk, seing nothing can properlie be called a controversie of the kirk, but that which has beene receaved as a doubt before in some Generall

Assemblie, and depends as yitt undecided; for there is an order concerning caces, where brethrein doubt and crave reformatioun, viz., that suche maters sould be propouned to the Generall Assemblie *ordine decenter, animo ædificandi, non tentandi.* In respect of which order, it is no wise convenient, that the saids ministers sould participat in a conference, with their brethrein's opiniouns different from the judgement of the kirk, and syne report the same to a Generall Assemblie.

Lastlie, seing the Assemblie at Linlithquo has directed commissioun anent maters presentlie standing in controversie concerning discipline, which claus must of necessitie be referred ather to maters that stand in controversie before that Assemblie, and in the tyme of it, or ellis to maters called and receaved in controversie before the same: It was demanded by the saids ministers, what particular maters ather stood in controversie, or were called or receaved into controversie.

The intentioun of this their dealing was to shew that the commissioun above writtin boore no warrant to the said commissioners, ather to make particular questiouns and controverseis which had not beene heard in Generall Assembleis of before, or yitt to call in controversie the acts, conclusiouns allowed, practised, or established order of the kirk. This purpose was taunted among the ministers themselves, and it was alledged, this forme of dealing would be accompted a shifting of disputatioun, and so the blame would ly upon the ministers.

It was answered, it was better to beare that unjust blame, than to breake a whole caus which, if it were brokin, could not escape to be hurt, seing the one partie were sixteene or seventeene, and the other but nyne. The other sort for the partie of the bishops termed that forme of proceeding tergiversatioun, policie, querelling of the Generall Assemblie, frustratioun of their good intentioun, &c. Muche tyme and talke was spent heerabout, and some shoring and boasting, but no cleere satisfactioun returned to the demand and propositiouns above specified.

And so somwhat abruptlie it was said, they mett ather for some-

thing or nothing; and confusedlie was cast in, that some of the brethrein had receaved the constant moderators, and others not. So that was a controversie of the kirk, said they, whether the moderator sould be constant or circular, as they termed it.

Item, Some of the brethrein thinke that the cautiouns sould be keeped, and others thinke that reasoun would that some of them sould be abolished. It is a questioun then, forsuith! whether the cautiouns sould be keeped or not.

It was answered to the first, that the foresaid Assemblie at Linlithquo, wherefra this commissioun was directed, had expresslie provided, that the advice givin in the conference at Falkland sould be observed till the nixt Generall Assemblie. And true it is, that in that conference at Falkland, the meeting at Linlithquo, wherin the intended innovatioun of the moderator was begunne, was spyed, and that mater to be farther treatted in the insuing Assemblie at Linlithquo. Which Assemblie, when it conveened, acquiesced in the advice givin at Falkland. So that there is no warrant in this commissioun to call the accustomed and established order of moderatioun in doubt.

And to the secund it was answered, that the cautiouns, after long reasoning and advisement, had in presbytereis, provinciall and Generall Assembleis, they were solemnelie concluded in two Assembleis, one at Dundie, another at Montrose, his Majestie being present at the one and at the other, and as yitt stand in force unrepealed; and can no more be called in questioun, by vertue of this present commissioun, than the acts anent vote in parliament, or anie other acts of Generall Assembleis.

It was thought meete by the most part, that both these maters of the moderatioun and cautiouns sould be putt in questioun. And so they that went apart re-entered in the place of conference, and all being present, the moderator cunninglie demanded, whether if the said maters sould passe in questioun or not? It was answered by the most part *affirmativè* they sould, and so the questiouns were conceaved as followeth:—

1. Whether in synods or presbytereis, the moderatioun sould be constant or not?

2. Whether the cautiouns sett doun in the Assembleis holdin at Dundie and Montrose, for restraiping the power of bishops, sould be observed and sworne to or not?

Therafter, the moderator desired, that one of either side sould be named, to reasoun these two questiouns. But being late, no nominatioun was made, but thankes givin, and so that sessioun ended.

After the dissolving of that sessioun, the ministers mett by themselves; and having conferred a little anent the disadvantage and danger, by suffering themselves to be separated in that former sessioun, all were desired to think that night upon the meetest remedie, and tymouslie to meete in the morning, which they did.

In that their meeting they concluded, 1. That Mr Patrik Galloway sould be speeche man, and some others to assist him, as need required. 2. That they sould suffer themselves no more to be divided, but whatsoever sould be propouned, (although of lesse importance,) they sould take it to be advised by the whole, before that anie answere sould be returned. 3. That in respect of the members of that conference, and of the qualitie of the maters called in doubt, that they would no wise dispute but in writt.

Sess. 2, *May* 5, *hora* 9, *ante meridiem.* The foresaid commissioners conveened in the morning in the place before named, and after prayer, the moderator propouned that one of either side sould be named and appointed to reasoun the first questioun. Mr Patrik Galloway being desired to speeke, answered, that it was most convenient to reasoun the mater by writt, for the reasouns following: 1. For eshewing of ydle and hote speeches, superfluous digressiouns, and impertinent discourses, whereby brethrein may be irritated, and tyme unprofitablie spent. 2. For avoiding of different reports to be made by brethrein of different judgements after the conference ended. And, therefore, he required the other partie, that they would shortlie and cleerelie sett doun their opiniouns, in articles tuiching that mater, and reasouns whereby they

might confirme the same; promising that the said opiniouns and reasouns sould be plainlie and brotherlie answered in suche succinct forme as was possible they sould conceave and expresse in writt.

Manie things were objected against that answere and offer, but all the objectiouns were answered. And so, the ministers standing constantlie to their resolutioun, the other partie desired that they might advise among themselves anent the premisses; unto the which desire the ministers agreed, and removed themselves, and the other partie, with his Majestie's commissioners, satt still.

After their re-entrie, the moderator objected foure reasouns against writting: 1. The custome of the Kirk of Scotland. 2. The custom of conferences in other countreis; and some colloqueis were named. 3. His Majestie's prohibitioun of writt. 4. Sindrie inconveniences that might follow therupon, as namelie, that copeis would passe abroad, and come into the hand of the enemeis, whereby it could not faile but slander and skaith would come to the caus of the religioun.

To the First it was answered, that whill the Kirk of Scotland had adoe with the counsell therof anent the treatting and concluding of the heeds of the discipline, they gave and receaved writt one from another.

To the Secund, that the colloqueis named by them had verie evill events; and others treatted by writt, specified by the ministers, had better successe, and made more for the advantage of religioun.

As for the custome of countreis generallie alledged, writt is more usuall than word, as may be seene of learned men's epistles, printed colloqueis, and treatises of all ages.

To the Thrid, it is evident in his Majestie's letter, that his Hienesse' intentioun is to sattle all maters peaceablie; and beside the same there is nothing produced. Therefore writting, whereby jangling of words, hote speeches, and tedious digressiouns, sall be avoided, is the most fitt and safe way to come to his Majestie's purpose.

To the Fourth, incace of agreement, interchanged papers may be

rivvin or burnt, and the conclusiouns agreed upon, onlie putt in writt, to remaine. If they can no wise agree, whatsoever sall passe in writt may be with consent of all destroyed.

And after these answers, the ministers concluded, that reasoning by word without a judge could not possiblie be had without tumult in the tyme of treatie, and different and contraditorous reports after breaking up of the meeting, whereby the present distractiouns, the caus of religioun farther prejudged, Papists and all sort of enemeis wishing, working, and watching for divisioun among the ministers, so farre as they may. The mater being thus stand to by the ministers, some speeches of terrour were givin out, and therafter, the moderator propouned, that a short historie might be sett doun with all consents of that meeting, and the proceedings therin to some suche effect as followeth: That the commissioners mett, the commissioun was read, two questiouns were agreed upon, they for the part of the bishops offered to dispute therupon, and the ministers refused. The ministers desired the last point to be mended after this maner, That they for the bishops offered to reasoun by word and refused writt, and the ministers were willing to reasoun by writt; but when they sould be before a Generall Assemblie, judge ordinar to suche maters, they sould be readie to reasoun by word or writt, as it sould please the Assemblie to injoyne; but heere they could not reasoun by word becaus they wanted a judge. This was refused, and so no historie was agreed on. But the moderator desired, that his Majestie's letter and the commissioun being layed aside, either of the parteis would advise upon some overtures for the peace of the kirk. And for reporting therof, three after noone was appointed for all to meete again. Thus, after thanksgiving, the commissioners rose.

Immediatlie after dinner, the commissioners conveenned by themselves, and after consultatioun, agreed upon some suche articles as follow:—

1. That a declaratioun sould passe from this conference, to be published in the kirks of Scotland, proporting, that the kirks within this realme are weill constituted in doctrine and discipline, praised

be God; and that the discords and differences among the ministers anent the one and the other aggredged and givin out by Papists, atheists, and other enemeis, are but slanderous calumneis tending to seditioun, and to deceave the simple.

2. That the handling of the discords and differences among the ministrie be layed aside and spaired, and the saids differences covered under the skirts of brotherlie patience and Christian wisdom, whill first Papists and Papistrie be proceeded against and putt to a point.

3. Seing that the mater of bishoprick and hierarchie can not be handled at this tyme but with advantage to Papistrie and Papists, and disadvantage to the established order of this kirk, which has beene a speciall meane whereby they and their kingdome have beene dissipated and overcome, that purpose would be superseeded whill the land were purged of them and their living.

4. That an humble supplicatioun sould passe from this conference to his Majestie for grace and favour to these ministers that have beene so long banished, keeped in prisoun, and confynned; namelie, that they might be relaxed, set at libertie, and returned to their places.

Sess. 3, *eodem die, hora tertia, post meridiem.* The whole commissioners mett in the place above specified, and after prayer, the moderator required the ministers to present their advice, as was appointed before noone; and Mr Patrik Galloway presented the articles above writtin, which were read; and after the reading therof, some fretted, and preassed to speeke. But authoritative by the moderator and some others, that vehemencie was keeped at under, and silence was commanded. Therafter, the advice of the other partie was read, and all demanded what they thought of it? Little [was] said for it, and nothing against it. The moderator desired the ministers to take up their articles; which being done, the conclusioun after following was agreed upon:—

"*At Falkland, the fyft of May,* 1609.

"The brethrein conveenned having read the commissioun givin

them by the Generall Assemblie, and considering the generalitie therof, and how it is needfull for ending of all controverseis standing in discipline among the ministrie, that the particular points in questioun be condescended upon; have for the present agreed upon two, viz., whether in synods and presbytereis, the moderator sould be constant or not; and whether the cautiouns sett doun in the Assembleis holdin at Dundie and Montrose, for restraining the power of bishops, sould be holdin and sworne unto or not. Which two questiouns being propouned, becaus nather the brevitie of the tyme permitts, nor is it for diverse causes thought expedient to enter in the reasoning therof at this present, the brethrein continue all treating of the same till the first Tuisday of August nixtocum, appointed for their meeting to that effect in Stirline; willing and commanding everie one of the said brethrein to advise and consider gravelie of the said questiouns, and all the points therof; and to be readie at their said meeting to propone their mindes ather by word or writt, as they sall thinke fittest. And farther, to sett doun in writt all the differences which they doe conceave in the mater of discipline, that some solide course may be taikin with commoun consent, for removing the same.

"In the meane tyme, it is thought expedient by the consent of the whole number, that the Generall Assemblie be prorogued to the first Tuisday of May nixtocum, to be holdin at St Andrewes, if so it sall please his Majestie, that these effaires being brought to some point, report may be made according as is ordeaned in the said commissioun. And becaus his Majestie's most zealous care for the good peace of the kirk, and the suppressing of Papists, and all contrarie religiouns, doeth so manie wayes appeare, that we have all exceeding great mater of thankes to be givin to the Almightie God for the blessing bestowed upon the kirk in his Majestie's persoun, it is found meete that a letter of humble thankes be writtin from this conference to his Majestie; and that in all congregatiouns of this kingdom, declaratioun be made by everie minister of his Hienesse' good affectioun, and resolved minde to sattle the kirk in peace and truthe, and to free the same of all the enemeis, and

their pernicious practises; and that publict thankes be givin to God for his merceis, and prayers conceaved for the happie progresse of his Majestie's purpose.

"As also, the brethrein knowing the great dangers that the kirk standeth in, through the enemeis of religioun, have thought meete to recommend to all the ministers and presbytereis in this realme, carefull proceeding against Papists; and suche of the strangers that resort from forraine parts to make intelligence to his Majestie's commissioner, the Erle of Dumbar, or suche other of his Hienesse' counsell as they are best acquainted with, that they know zealous of God's truthe, and faithfull to his Majestie. And above all things, that they and everie one of them interteane peace, freindship, and brotherlie love with others, laying aside all jealouseis, suspiciouns, and other prejudices; and that they communicat their counsells and helpes to the advancing of religioun, and establishing a good and solide agreement in the kirk, which the brethrein present for themselves have solemnelie promised; and likewise, to labour others to the same, so farre as they can, that God may have glorie, and his most excellent Majestie satisfactioun and contentment in all things."

This conclusioun and his Majestie's letter being writtin and subscribed, the moderator gave thankes to God in the place where they mett; and Mr William Cowper being requeisted by his Hienesse' commissioner, and some of the brethrein, went to the kirk of Falkland, and all that were there with him. He made an exhortatioun and thanksgiving upon the last three verses of the 74 Psalme; and therafter, the 133 Psalme was sung, and thus all were dimissed.

The bishops gained this muche by this conference, that no oppositioun was made to them at the ensuing parliament, at which their commissariats were to be confirmed to them. Foure of the ten that were upon the ministers' side, Mr Patrik Galloway, Mr Johne Hall, Mr Adam Bannatyne, Mr William Cowper, joyned with the rest, without the consent and knowledge of the cheefe of that number, were justlie suspected to be secreit enemeis; and if it had come to disputatioun, it was feared by the rest, that they would have proved

prevaricators. Yitt they thought it wisdom to misken, and to dryve the conference to this point which is above expressed. Mr William Cowper and Mr Adam Bannatyne discovered themselves after, when they tooke on the bishopricks. Mr Patrik Galloway and Mr Johne Hall were the cheefe instruments the king used to further his course.

A PARLIAMENT.

The parliament sould have begunne the 13th of June; but becaus the Erle of Montrose had beene his Majestie's grand commissioner in the parliaments preceeding, and at conventiouns, his Majestie thought meete that he sould be buried in pompe, before anie other were named. So he was buried with great solemnitie. The king promised to bestow fourtie thowsand merkes upon the solemnitie of the buriall; but the promise was not performed, which drew on the greater burthein upon his sonne. The Erles of Marshall and Marr repyned to accept that honour, and, therefore, the Erle of Dumbar, farre inferiour to them, would not preasse to it. At lenth, the Erle Marshall tooke the dignitie upon him. So the parliament beganne upon the 17th day, the day after the buriall, and continued till the 24th. Few of the ancient nobilitie were present. Doctor Gudwine and Doctor Milburne, two English doctors, taught in tyme of parliament. It was the king's pleasure that the archbishops sould ryde before the erles, and the rest of the bishops before the lords, the first day; but the last day, all the bishops raid betuixt the honours and the erles. For this and other respects, Montrose, Cathnesse, Glencarne, Mortoun, and Cassils, came on foote to the Parliament Hous, and protested against the wrong done to them. Some acts were made against Papists, but not so muche for anie rigour meant against them in earnest, as to grace the bishops, and to procure them the greater credit and authoritie in the countrie. There were other acts also made in their favours.

In the First act, it was ordeanned that all noblemen and others,

who heerafter sall direct pedagogues with their sonnes to forraine countreis, sall have a sufficient testimoniall from the bishop of the diocie where the said pedagogue for the most part made his residence latelie before.

In the Secund act, it was ordeanned that noblemen, barons, and others, give order and directioun that the remaining of their sonnes furth of the countrie sall be in places where religioun is professed, or, at least, where there is no cruell inquisitioun; and that, during the tyme of their absence, they sall not haunt anie idolatrous exercise of religioun; and that suche persons as have not the moyen to interteane a pedagogue with their sonnes, sall send them to suche places where religioun is professed.

In the Thrid act, it was ordeanned that no persons, excommunicated for not conforming themselves to the religioun presentlie professed, be suffered, ather directlie in their owne persons, or covertlie and indirectlie by others, in their names and to their behove, to enjoy the possessioun of their lands, rents, and revenewes, but that the same sall be intrometted with, and uplifted to his Majestie's use.

In the Fourth act, it was ordeanned that everie archbishop and bishop, within the bounds of his own diocie, sall, once everie yeere, give up to the treasurer, comptroller, collector, and their deputs, and to the director of our soverane lord's chancellarie, a roll subscribed with his hand, conteaning the names of all suche persons within his diocie as are excommunicated for religioun; and that the said treasurer and his deputs receave no resignations, nor grant confirmations nor infeftments, in favour of anie of the persons whose names sall be conteaned in the said roll; and that the director of the chancellarie and his deputs give out no breeves, receave no retowres, direct no precept upon retowres or upon comprysings, in favours of anie of the saids persons, whill they produce to the said treasurer, comptroller, director of the chancellarie, and their deputs, a sufficient testimoniall subscribed by the said archbishop or bishop, testifeing their relaxatioun from the said excommunicatioun; and that it sall be lawfull to all lords of regaliteis, and

all superiors whatsomever within this kingdom, to refuse breeves and precepts of *clare constat* in favours of suche persons. As also, to refuse the entrie of tennents upon comprysing, whose names are insert in the same roll.

In the Fyft act, all acts of parliament ather made in his Majestie's minoritie, or since his acceptatioun of the governement in his owne persoun, against Jesuits, Seminarie preests, Papists, sayers and hearers of masse, and recepters of the said persons, were ratified with some explanatiouns. *Item*, That all judges, members of court, and officers whatsomever, professe the true religioun. All archbishops, bishops, and presbytereis, were ordeanned to call before them the said Papists, Jesuits, Seminarie preests, and their recepters, everie one within their owne bounds respective, and to try if they have controveened to the said acts; and after probatioun, to report the same to his Hienesse' advocat and Secret Counsell, that they may be conveenned before them, and punished.

In the Eight act, it was ordeanned, that none, in tyme comming, be capable of provestrie or other magistracie within anie burgh, but merchants and actuall traffiquers inhabiting within the said burghes; and that the said magistrats, and their commissioners of parliament, sall weare at parliament-conventiouns, and other solemne tymes and meetings, when their dignitie sall require it, suche comelie and decent apparrell as his Majestie sall prescrive, whereby they may be discerned from other commoun burgesses. And siclyke, that judges sall weare suche an habite as his Majestie sall thinke most meete and proper, als weill for Lords of the Sessioun, and other inferiour judges in civill actiouns, as for the criminall and ecclesiasticall judges, for advocats, lawyers, and others living by law and practise therof. That everie preacher weare blacke, grave, and comelie apparell. Lykewise, that all pryours, abbots, and prelats having vote in parliament, speciallie bishops, weare grave and decent apparrell, agreable to their functioun, dignitie, and place. And becaus the king, by long experience, knoweth better than anie king living, what is convenient for everie estat in their behaviour and duetie, it was agreed, that what order he sould

thinke meete to prescrive for the apparrell of the kirk men, agreable to their estat and moyen, the samine being sent in writt by his Majestie to his Clerk of Register, sall be a sufficient warrant to him for inserting therof in the bookes of parliament, to have the strenth and effect of an act therof, with executorialls of horning to be directed therupon against suche persons as, within the space of fourtie dayes after the publicatioun or intimatioun of the said act made unto them, or charges used against them therupon, sall not provide themselves of the apparrell to be appointed by his Majestie for men of their vocatioun and estate, to be used and worne by them and their successours at the tymes and in maner to be expressed in the said act to be made by his Hienesse theranent.

By this act power was givin to the king to prescrive what apparrell he pleased unto ministers, ather in the tyme of divine service or out of it. So he might impose the surplice and the baboun, yea, he might impose hood and bells by this act, so slavishly were they addicted to flatter and pleasure him. Yitt were not these strange formes of apparrell imposed, becaus he had the maine point, to witt, Episcopall jurisdictioun, to wonne, and, therefore, would not make a sturre for the apparrell before the tyme.

In the Nynth act, it was ordeaned, that whosoever sall heerafter, by word or writt, devise, utter, or publishe anie false, slanderous, or reproachefull speeches, tending to the remembrance of the ancient grudges borne in tyme of bypast troubles, or to the hinderance of the wished accomplishment of the perfyte unioun of the kingdoms of Scotland and England, or to the slander or reproache of the estat, people, or countrie of England, or dishonour or prejudice of anie counseller of the said kingdom, whereby hatred may be fostered and maintenaned, or mislyking raised betuixt his Majestie's faithfull subjects of this yle; the authors of the seditious, slanderous, and injurious speeches or writts, or dispersers therof, after tryell taikin of their offence, ather before his Majestie's Justice or the Lords of his Hienesse' Privie Counsell, sall be severelie punished in their persons and goods, by imprisounment and banishment, fyning, or more rigorous corporall paine, as the qualitie of the offence sall be

found to merite at his Majestie's pleasure; and all suche as hearing or getting knowledge of anie suche speeches or writts, sall conceale the same, and not reveele them to his Majestie's ordinar officers, magistrats, or counsellers, whereby the authors or dispersers therof may be punished, sall underly the lyke tryell and paine.

In the Elleventh act, becaus the bishops were restored to their livings, jurisdictioun, and place, and had gottin the quots of testaments within their owne dioceis respective, which before perteanned to the Lords of the Sessioun, in recompence therof was assigned to the Lords of the Sessioun out of the patrimonie of the crowne, the customs, so farre as the same might be extended to the sowme of ten thowsand punds of the first, readiest, most sure, and best payment of the said customes. The king bestowed, as Mr James Melvill was crediblie informed, upon the erecting of bishops and bishopricks, above three hundreth thowsand punds sterline.

The commissariats were committed to them by the Sixt act of this parliament, the tenor whereof followeth:—

6.—ACT OF THE COMMISSARIATS, AND JURISDICTIOUN GIVIN TO ARCHBISHOPS AND BISHOPS.

"Our soverane lord understanding that, in all weill governed republicks, the jurisdictioun, civill and ecclesiastick, are distinct and diverse jurisdictiouns, that ought to be administred by the persons to whom the same properlie belong; and according to his Hienesse' most loving and princelie affectioun, borne always to the Christian Reformed Kirk within this realme, being most willing that the same kirk sould bruike and joyse their liberteis, priviledges, freedom, and jurisdictioun granted to them by his Majestie, (from whom onlie their temporall jurisdictioun doeth flow,) and in that regarde belonging to them, as one of the estats of parliament most necessar to be mainteaned, for giving of their advice, counsell, and assistance in all his Majestie's great and weightie effaires; hath, with expresse advice and consent of the estats of parliament, restored and redintegrated the archbishops and bishops of this

realme to their former authoritie, dignitie, prerogatives, priviledges, and jurisdictiouns lawfullie perteaning, and sall be known to perteane, to them, (alwayes flowing from his Majestie, als weill as anie other ordinarie jurisdictioun doeth;) and speciallie, to the jurisdictioun of commissariats and administratioun of justice by their commissioners and deputeis, in all spirituall and ecclesiasticall causes controverted betweene anie persons dwelling within the bounds and dioceis of their prelaceis and bishopricks, with full power to the said archbishops, bishops, and their successours, in all tyme heerafter, to nominat and creat sufficient, wise, discreit, and learned men, best acquainted with the law and practick of this realme, to serve and administrat justice in the said places of judicatorie, to constitut clerks and all other under officers, so oft as the same sall vaike by dimissioun, decease, deprivatioun, or otherwise; and to provide others in their places with als great freedom and libertie as anie archbishops or bishops in this realme formerlie have done; which commissars, to be nominated and created by them, sall judge and decide in all causes belonging to their judicatorie, and wherein the commissars presentlie in office are in use to decide; keeping the same style and forme which is presentlie observed, and that maner of proceeding which sall be prescribed and injoynned unto them by speciall injunctiouns, without anie alteratioun of the present lawes, or introductioun of new and uncouth practicks upon the subjects and lieges; and sall have power of confirmatioun of testaments, everie one of them within their owne bounds, the quots therof to be payed to the archbishops, bishops, their chamberlans, factors, and under-receavers, appointed by them. For the better effectuating wherof, his Majestie and estats of parliament ordeane letters of horning to be givin and granted by the Lords of Sessioun in that same verie forme that the commissars present have it, for the executioun of all their sentences and decreits which sall happin to be pronounced by them, and compelling of persons to enter and confirme the testament of their defuncts in the verie same maner that formerlie has beene done.

"And for mainteaning all things in better order, and the restrain-

ing of unlawfull divorcements over frequentlie practised within this realme, to the high dishonour of God and slander of true religioun, his Majestie, with advice and consent foresaid, has statuted and ordeanned, that, in the burgh of Edinburgh, there sall be resident alwayes foure commissars, two to be nominated and appointed by the Archbishop of St Andrewes, and two by the Archbishop of Glasgow, who sall have the onlie power to decide in all causes of divorcement: As likewise, sall have power of reductioun of all decreits pronounced by anie other commissars, to the hurt and prejudice of anie of the lieges; before whom it sall be onlie lawfull to intend and pursue reductions of inferiour commissars, their sentences and decreits, *in prima instantia.*

"And incace the saids commissars, to be appointed by the Archbishops of St Andrewes and Glasgow, as said is, performe not their duetie, the Lords of Sessioun sall have power to try, cognosce, and determine in the same; and sall judge upon all decreits and sentences alledged to be wrongously pronounced by them, and that becaus they are his Majestie's great consistorie: To whom his Hienesse, with advice of the said estats, gives and grants an high supreme commissioun for all suche causes, to judge and determine of them in suche caces; and declairs, that it sall be lawfull to the said Lords of Counsell and Sessioun to advocat causes unto themselves from anie of the commissars, upon just and lawfull complaints made to them by anie of the subjects, and not otherwise; providing alwise, that the said Sessioun sall ever be readie to give an accompt to his Majestie that their advocatiouns have beene grounded upon probable and lawfull grounds for the weale of the subjects.

"And that this foresaid act may be putt in present effect, his Majestie, with advice foresaid, declairs all former erectiouns of commissariats to be suppressed and extinct from this furth, and for ever; all constitutiouns that have beene in former tyme for the same, in whatsoever part of the realme the same hath beene erected, and by whatsoever maner the same hath proceeded, Acts of Parliament, Secret Counsell, and others made theranent. And in like maner, discharges and annulls all presentatiouns, gifts, or disposi-

tioung made by his Hienesse to the commissars present, or to anie other, concerning the said commissariats; and all rights acquired by them by deceasse, dimissioun, or howsoever the same has vaiked; and all gifts and dispositiouns made in favours of their clerks and members of court, by whatsomever maner of order the same has proceeded: With this provisioun alwise, that the commissars presentlie in office, their clerks, and other members of court, who sall be authorised from the Lords of Sessioun, with testimoniall from the Lords of Sessioun of their sufficiencie and qualificatioun to their severall places and offices, sall bruike and joyse the same, they alwise receaving new presentatioun and gift of their offices from the archbishops and bishops of their dioceis where they serve, betweene and the first day of December nixtocum. Otherwise, if, incace the said commissars, and other members of court, doe not produce the foresaid testimoniall from the Lords of Sessioun, as said is, it sall be lawfull to the archbishops and bishops to provide other sufficient persons to the said places: The restitutioun of the said jurisdictioun alwayes to be with expresse reservatioun of his Hienesse, and his successours, their prerogative and supremacie in all causes, ecclesiasticall and civill, within this realme; providing alwayes, that this present act sall no wise be hurtfull nor prejudiciall to the heretable right of the commissariat within the bounds of Argile, perteaning to Archibald, now Erle of Argile, but the same to stand in the same force, strenth, and effect, as it was before this present act, and notwithstanding therof, or anie claus therin conteaned, *prout de jure.*"

Item, An act, discharging the secretar's registers since Januar last.

Item, The Lord Maxwell and the Laird of Restalrig forefaulted; but no mentioun of Sir James Elphinstoun. Maxwell, for the treasonable slaughter of the Laird of Johnstoun, raising of fire, and breaking of waird. Restalrig, for concealing of Gowrie's treasoun.

In the act for the commissariats, the jurisdictioun of the commissariats is acknowledged to be ecclesiasticall. And yitt, without knowledge or consent of the kirk, is this jurisdictioun committed to the bishops, at the king's directioun, and by their owne device.

As they growed in greatnesse, their whole behaviour, actiouns, and speeches, were altered, and numbers of the ministrie fell to them. The more that they were established in their estate, the lesse was the distresse of good men regarded. The people were made to beleeve that the Bishop of Glasgow, Spotswod, at his last voyage to Londoun before this parliament, was to bring home Mr Andrew Melvill to teache in Glasgow, if he pleased; and the bishop himself said that he had left Sir James Sempill to perswade to the acceptatioun of that conditioun. But when good men were disappointed, he excused the mater, and said the king had changed his minde, and behoved to advise with the Erle of Dumbar concerning his libertie. When he was asked why Mr James Melvill was not sett at libertie? he answered, Mr Andrew had but a blast; but Mr James was a craftie bydding man, and more to be feared nor Mr Andrew. When these speeches were repeated to Mr Law, Bishop of Orkney, by one of the confynned, his answere was short and plaine, that except a conformitie were agreed upon at this dyet, which was to be holdin at Stirline in August, "yee will all remaine in the former distresse." These vantages gott they by the shew of reconciliatioun that was made at the Assemblie, and the conference appointed and continued, without any releefe or confort to the ministers distressed for opponing to their advancing.

MR J. CARMICHAEL'S LETTER TO MR JAMES MELVILL.

In the moneth of Julie, Mr Johne Carmichaell, one of the ten ministers appointed for the one partie of the conference, sent to Mr James Melvill this letter following, by which the reader may take up the state of the tyme:—

"RIGHT REVEREND,—I have thought verie long to heare from you this while bygane, since the departure of your godlie host. I see no pitie nor compassioun in the hearts of men, how ever God humble us. Blessed be He who is our EL SHADDAI, and our riche reward. What I would write of anie purpose, will be fullie suppleed

by thir present visiters, concerning our conference bygane in Falkland, and to come in Stirline. I would gladelie know your minde of the particulars past, and of the maner of our dealing, and resolutioun to doe all by writt; and the danger of some of our owne with whom we are joyned, they will report. I have tane some paines this yeere bygane anent our maters, especiallie in trying the ancients *de Episcopatu*, and the Papists, with all their reasouns, with whom our Episcopall men closselie jumpe; and I hope to discover the nakednesse of their best authoriteis, and reasouns wherin they most triumphe. At another tyme, by God's grace, ye sall have some prooffe heerof, for the anascueastick part is my speciall studie. How ever I know the course to be violent on the other side, I would we sould be found readie, and able to give a faithfull testimonie, with evidence of reasoun, for the peace of our owne consciences in the day of our tryell. Alas! deere Sir, we want our Jonathan[1] in thir caces, who durst adventure against manie Philistins. I would have beene glad to have beene his armour-bearer. God can save us als weill by few as by manie; if we could sigh and mourne to our God, and powre out the water of our hearts in his presence, and make violence on his kingdom, our God yitt would appeare. We must be yitt better upon our knees, before the deliverance. Our lukewarmenesse feares me we sall be spewed out. O admirable patience of our God, who has suffered us so long! Manie tyme my heart is cast doun and freatteth, to see the universall defectioun of all. There is no man now to speeke a word in seasoun. What Cæsar commandeth to all is now heere an oracle. I am constrained to thinke them happie who are with the Lord in this tyme, for they are tane away, that they sould not see the miseris to come. Come, Lord Jesus! come, Lord Jesus! amen. His grace be with you, and give us all a confortable meeting. If this conference and our communioun had not withholdin me at this tyme, I had visited you with the rest. But Mr William Scot's last advertisement and myne is, that we sall have that

[1] Mr A. Melvill.—*Note in the MS.*

earand quicklie there away, becaus they conceate us onlie opposite to their course.

"Your owne Sonne,

"J. CARMICHAELL."

JUSTICE COURT AT DUMFREIS.

About the end of Julie, the Erle of Dumbar went to Dumfreis, where he held a justice court, and hanged a number of border theeves, apprehended before by Sir William Cranston, Captan of the Guarde.

THE DYET AT STIRLINE DESERTED.

The conference held not at Stirline in August, as was appointed at Falkland. The bishops being established, in their moderatioun permitted the dyet to expire, upon hope to gett their intentiouns prosecuted more easilie at an Assemblie, lyke the two last holdin at Linlithquo, for they saw no appearance of vantage to be gottin by the conditiouns agreed upon at Falkland. It was in their power to purchasse the appointments of conferences, and to disappoint them, as pleased them.

MR WILLIAM SCOT'S LETTER TO MR JAMES MELVILL, THE 16TH OF SEPTEMBER 1609.

"I doubt not, most loving father, but if yee would censure us as we deserve in thir things, yee might verie justlie esteeme us to be voide of all sound affectioun that sould be Christians, obliged as we are unto you, and to our father, south by. We trouble you with prefaces. But what can we doe? I beseeke you but ceremoneis, (most deere unto me,) lett us understand with this trustie bearer your minde particularlie, and wherin we may be more steadable; for we have great need to be advised and spurred. We

read and we scroll, but the veritie is wounded, and we make no support, &c. September 16, 1609.

"Your verie Sonne, to the uttermost of his power,

"WILL. SCOT."

MR JAMES MELVILL'S ANSWERE UNTO MR WILLIAM SCOT'S LETTER.

"I have receaved your short, but verie significative letter, of your sound and ardent affectioun, both toward the caus and us that are imprisouned for it.

"My deere and most loving sonne, you would be censured and spurred; but what I sould censure, I see not weill, and to spurre a running hors I can not. And yitt, it is true, there is great need of both to us all. But what sall we doe, seing God in his righteous judgement, for our former negligence, contempt, and ingratitude, has plucked away from us all heart and hand, occasioun and affectioun, zeale and knowledge, spirit, courage, and actioun, so that authoritie, money, craft, (for greater craft, policie, and catasophisatioun, was never used by Ægyptians against God's people,) and bussinesse of the world, carieth all sinceritie, truthe, and freedom away, or rather overwhelmes, oppresseth, and beareth the same doun to the ground? I saw the craft of the truce taikin before the last Generall Assemblie, and the policie of this conference before the parliament, onlie to make the brethrein secure and remisse, that they might without impediment winne some farther ground, and promote and establishe their estate. I can not be throughlie informed what was done in the parliament; but it is said and givin out heere, that whatsoever the king would is effectuated to him, and better service never done. Would to God at least there had beene but some suche advertisement and protestatioun givin in, or sett abroad, as was at the parliament at Perth; and if they would needs bring in questioun the cautiouns, I wish that all done at these Assembleis, and so, the voting in parliament, (that foundatioun of this rebuilded Babylon,) to have beene shaikin. But wishers and wedders are ill house-holders. And so, I feare,

that hous of God, wherof the stewartrie was concredited unto us, is givin up, and a long vacance er it be taikin up again; and during that ydle tyme, more godlinesse and good learning forgott in a weeke than was learned in a moneth before.

"If yee aske yitt, 'Men and brethrein, what sall we doe?' would to God we had the spirit of compunctioun, first to move us in earnest maner, and zealouslie to aske; then, I thinke, that some thing might be yitt answered. As first, to cry and compleane to Christ, filling heaven and earth with lamentatioun for the captivitie and desolatioun of Sion; and for her sake not to hold silence, till the Lord had pitie on her. Secundlie, to publishe to all Christians our just greeves; how our kirk is oppressed by authoritie, circumveenned with craft, and keeped in thraldom, against God's word, her owne constitutiouns and customes, and against the priviledges that the statuts and lawes of our realme granted unto her. Thridlie, I would have these Balaams, blinder than asses, with honour and wealth, that for the wages of unrighteousnesse have perverted the Lord's prophecie, these Judasses, sonnes of perditioun, who for money have betrayed Christ and his kingdom; these Esaues, that have sold their birthright in Christ's inheritance for a mease of pottage; and, finallie, these Shemaiasses, imprisoners and tormenters of their brethrein, after due admonitiouns, to be painted out in their colours and proceedings. And last, alas! if that spirit of actioun, zeale, and courage, that some tyme mightilie did raigne in our kirk, were kindled up again, that might make a few from every presbyterie and province to conveene together in the name of Christ, and censure these corrupters of the kirk to the uttermost.

"But what talke I of these maters, seing your last conference has preoccupyed all these dealings, and cutt away the occasiouns therof by approving the king's proceedings, with thanksgiving to God therefore, and promising of peace, with brotherlie contentment and concord? So all this is but wishes and words, *Res non est integra.* The caus is prejudged. A few can not doe it, and a competent number of manie is not to be looked for till the Avenger

of the caus arise and make his musters. It is tyme, O Lord; arise, it is tyme; for they have made thy word and law irrit and of none availl. They have led Jacob in servitude, and Judah in captivitie. The heavenlie scepter of thy kingdom, the free preaching of thy Word, they have wrested out of thy hand, and subjected it to the will and phantaseis of men; and the hedge and walls of thy vineyaird, thy holie discipline, they have cutted, brokin doun, and demolished. We see no signes of remeed, nather have we anie prophet to tell us how long.

"And yitt, my deere bairns, and most faithfull fellow sufferers and labourers in this caus of Christ, lett us not be discouraged, but heare the confortable voice of our Christ crying, 'Lett not your hearts be troubled: yee beleeve in God, beleeve in me also. In my Father's hous there are manie dwellings. I goe to prepare you a place,' &c. Lett us at least be as Jeremie caried to Egypt; Ezechiel, Daniel, Chanania, Mishaell, Azariah, to Babylon. Lett us have ever their exemples before our eyes, and preasse to practise their patience, pietie, wisdom, courage, and other vertues, standing uprightlie and constantlie for the glorie of our God and confort of his captived kirk, untill the tyme it please him to stirre up a Zerobabel, Jehosuah, and Ezrah, for bringing again the captivitie therof, and purging and repairing of the temple and sanctuarie; and a Nehemias for reforming of the citie, and building up again and repairing of the walls of his Jerusalem. The hope wherof is muche encreassed and strenthenned among all the truelie learned and godlie in Europ, by a voice sounding mightilie as it were from the dead, against that sacreligious and accursed hierarchie,—I meane Mr Brightman's Apocalypse, which has more cleerenesse and spirituall force of demonstratioun for the truthe in solide and learned sort, than all the hellish Jesuits and worldling formalists against the same; of whom yee will see my uncle's judgement in his last letter to me, which I have sent you with the bearer," &c.

In the margin of this letter, about the beginning, he has these words, "For a counseller and speciall doer in that worke told me,

that one bishoprick cost the king a thowsand pund sterline, and more than he and I would spend all our dayes beside. The advancement of the whole worke for the space of eight yeeres may be esteemed then to manie hundreth thowsands."

About the beginning of October, there came a warrant from the king to give libertie to the president to have free waird in Falkland and a myle about, he finding cautioun not to escape under the paine of fortie thowsand punds.

THE BISHOPS PLOTT MISCHEEF AT COURT.

Mr George Gladestains, Bishop of St Andrewes, Mr Johne Spotswod, Bishop of Glasgow, and Mr James Law, Bishop of Orkney, went to court about the beginning of October, where they contrived shrewde maters, the discharging of the Assemblie; appointed the indicting of a new Assemblie after a forme of their owne, and the power of the high commissioun.

THE PULPITS OF EDINBURGH MADE PATENT FOR THE BISHOPS.

In the beginning of November, a letter was sent from court to the counsell and ministrie of Edinburgh, declairing his Majestie's will, that their pulpits be patent to all the bishops that were to be in the toun, or were desirous to teache. This article was sent up before with Mr Gawin Hammiltoun, as we may see in the memorialls above writtin which were sent up with him. Sindrie of the bishops were providing for their winter residence in Edinburgh. Manie meanes were used by the king to bring his bishops in credit and estimatioun.

CHRISTMASSE KEEPED IN EDINBURGH.

Chancellor Setoun being sent for by the king, tooke journey to court upon the 7th of October, and returned in November, and brought with him a commissioun for diverse maters, and among

the rest, that the sessioun sould ryse the 25th day of December, and not to sitt doun till the eight of Januar. This was the first Christmasse vacance of the sessioun keeped since the Reformatioun. The ministers threatned, that the men who devised that noveltie for their owne advancement might receave at God's hand their reward to their overthrow, for troubling the people of God with beggerlie ceremoneis long since abolished with Poprie. Christmasse was not so weill keeped by feasting and abstinence from worke in Edinburgh these threttie yeeres before, an evill exemple to the rest of the countrie.

MR J. FAIRFULL CONFYNNED.

Mr Johne Fairfull, minister at Dumfermline, was delated to the king for praying for the distressed ministers within and without the countrie. The king appointed the Bishop of St Andrewes and the Lord Skoone to try if he had done so. They find him guiltie, and therupon, after new advertisement from the king, he was called before the counsell, and ordeanned to repaire within six dayes to Dundie, and to remaine there during the king's pleasure; which he obeyed. Confynning of ministers was now become so commoun, that it was thought a favour and a mitigatioun of a heavier punishment which might be inflicted, as the prelats made men beleeve, yea, and clamed thankes for their intercessioun. The merceis of the wicked are cruell.

SPOTSWOD AN EXTRAORDINAR LORD OF THE SESSIOUN.

Upon the 20th of December, there came a warrant from the king to discharge the extraordinarie Lords of the Sessioun upon the sight of his letter, without anie caus declared but his owne pleasure; which was thought verie strange. The extraordinarie lords at this tyme were these following, the Lord Elphinstoun, Sir Robert Melvill, the Pryour of Blantyre, and Mr Peter Rollock, sometyme styled Bishop of Dunkelden. But it was cleerelie seene

in the nixt moneth what the mater meant; for the Bishop of Glasgow, Mr Johne Spotswod, was placed in Mr Peter Rollock's place, and the rest were restored to their owne places. We may see in the memorialls sent up with the Bishop of Galloway in Februar, that it was a device and sute of the bishops themselves to have place in sessioun; for they made no conscience to meddle ather in civill or criminall maters. Spotswod, as he was the most ambitious of the number, so he was the peartest, and the first that taketh the place upon him, direct contrare to an article givin in by his father to the Generall Assemblie, *anno* 1572, that the preaching of the Word, and administratioun of civill justice, were not compatible in one man's person.

M.DC.X.

THE ACT OF APPARELL PUTT IN EXECUTIOUN IN PART.

About the end of Januar, the Scotish Secretar, Sir Alexander Hay, came from court with sindrie directiouns, and among the rest, for the habite of the Senators of the Colledge of Justice, advocats, clerks, and scribes; which was proclamed in the beginning of Februar, viz., that the Senators of the Colledge of Justice sould weare a purple rob or gowne in judgement and in the streets when they were to meete or were dissolved; that advocats, clerks, and scribes, sould weare blacke gownes in the judgement hall and in the streets; and that they beginne betuixt and the 15th of Februar. Siclyke it was ordeanned and published by proclamatioun, that the proveists and bailliffes of burghes and their counsellers sould weare blacke when they satt in counsell and judgement; that ministers sould weare blacke cloths, and in the pulpit blacke gownes; that bishops and doctors of divinitie sould weare blacke cassikins syde to their knee, blacke gownes above, and a blacke craip about their necke; and that betuixt and the first of Marche. Upon the 15th day of the moneth of Februar, the Lords of the Sessioun and the

bishops putt on their gownes, and came doun from the chanceller's loodging, with their robs, to the Tolbuith. All their robs, except the chanceller's, were of Londoun cloath purple coloured, with the fashioun of an heckled cloke from the shoulder to the middle, with a long side hood on the backe, the gowne and hood lynned with reid satine. The people flocked together to behold them. The bishops were ordeaned to have their gownes with lumbard sleaves, according to the forme of England, with tippets and craips about their craigs; which was performed.

THE ASSEMBLIE PROROGUED.

Upon the 14th of Februar, the Generall Assemblie, which sould have beene keeped at St Andrewes, according to the appointment of the last Assemblie, was discharged by opin proclamatioun, and no new dyet affixed, but reserved to his Majestie's farther resolutioun. The pretended reasoun, forsuith, was distractioun betuixt the fathers of the kirk, the reverend prelats, and inferiour ministers. But the true caus was, to make the ministrie secure, and to surprize them unawars with an Assemblie, which was to be holdin at Glasgow in the moneth of June, the appointment wherof was concealed till the tyme did approache. The tenour of the proclamatioun heere followeth:—

"JAMES, by the grace of God, King of Great Britaine, France, and Ireland, Defender of the Faith, to our lovits, &c., messingers, our shireffs in that part, conjunctlie and severallie, speciallie constituted, greeting. Forasmuche as the Generall Assemblie of the kirk is appointed to be keeped at our citie of St Andrewes in the moneth of May nixt ensuing; and since these meetings and conventiouns have beene at first ordeaned, and sensyne, by princes and estats within the bounds of their kingdoms, commandements, and territoreis, tolerated and permitted to be keeped for no other intent or end, but that by the conveening of the clergie at suche tymes, the best resolutiouns might be taikin, not onlie for exterminating and

rooting out of all hereticall and erroneous opiniouns, but also for removing and suppressing of all schismes, factiouns, and divisiouns in the kirk, so as by an uniformitie of hearts, mindes, and affectiouns in them that did conveene, the effaires of the kirk might be advanced: Whereas on the other part, by too manie experiences and prooffes it has beene tryed, that at suche meetings, where the conveeners were in affectioun distracted, manie of them preferring their will to the kirk's weale, wishing rather a combustioun than anie profitable and expedient compositioun, not onlie hath no good ensued therof, but upon the knowledge of this divisioun, the commoun enemie has taikin muche advantage, and it has greatumlie increassed the grouth of contrare professors: In which regaird, we, the nourish father of God's kirk within our dominiouns, acknowledging our selves in duetie bound to preveene suche inconveniences, understanding of the present distractioun of minde betuixt the fathers in the church and some of the ministrie, which we being verie carefull and desirous to remove, did therupon appoint a meeting of some commissioners of both sides, to have confered, treatted, and resolved upon some fitt meanes for removing of this distractioun, as the mindes of all them sould be prepared before the Assemblie to meete; that in suche unitie and harmonie as the kirk might find the benefite of their conveening; and that the kything of their divisiouns might not bring a reproache to their functioun, who ought to be teachers and paterns to others of all love and amitie. And in respect we doe find this heartburning still to continue, therefore, we doe hold it most expedient and necessar, that the said Generall Assemblie, appointed in May nixt, sall not be keeped at all, we being fullie resolved not to appoint anie new dyet for holding therof, untill suche tyme as upon assurance of a conformitie in the church, we may be fullie perswaded, that by their meeting some good may be done, and no harme ensue therof; which can not be avoided, so long as this distractioun of mindes remaineth.

"Our will is heerefore, and we charge you straitlie and command, that incontinent these our letters seene, yee passe, and in

our name and authoritie, make publicatioun heerof by opin proclamatioun at the mercat-croces of the head burrowes of this our realme, and other places needfull, wherethrough none pretend ignorance of the same; and that yee command, charge, and inhibit all and sindrie persons of the ministrie of this our kingdom, that they on no wise presume nor take upon hand to conveene and assemble together in our said citie of St Andrewes the day foresaid, nor at no other day, tyme nor place, whill we signifie and declare our will theranent, as they and everie one of them will answere upon the contrarie, at their highest charge and perrell. The which to doe, we committ to you, conjunctlie and severallie, our full power by these our letters, &c.

" Givin under our signet, at Edinburgh, the 13th day of Februar, and of our raigne the elleventh, and fourtie-three yeeres, 1610.

" *Per actum Secreti Consilij.*"

Not long after, a commissioun givin under the great seale to the two archbishops, to hold two courts of high commissioun, was proclamed at the Croce of Edinburgh, the tenour wherof followeth:—

" JAMES, by the grace of God, King of Great Britane, France, and Ireland, Defender of the Faith, to our lovits, &c., messingers, our shireffs in that part, conjunctlie and severallie, speciallie constituted, greeting. Forasmuche as complaint being made to us in the behalfe of the ministrie of this our kingdom, that the frequent advocatiouns purchassed by suche as were ather erroneous in religioun, or scandalous in life, not onlie discouraged the ministrie from censuring of vice, but emboldenned the offenders to continue in their wickednesse, using their advocatiouns as a meane to delay and disappoint both tryell and punishment: we, for eshewing of this inconvenient, and that the number of true professors may be knowne to increasse, the antichristian enemie and his grouth suppressed, and all sorts of vice and scandalous life punished, and that nather iniquitie nor delay of tryell and punishment be left by this subterfuge, of discouraging of ecclesiasticall censures to proceed on

things so meete and proper for them, have, out of our duetie to God, and love to his kirk, being the nourish father of the same on earth within our dominiouns, givin power and commissioun to the Reverend Father in God, and our trustie and weilbeloved counseller, George Archbishop of St Andrewes, primat and metropolitan of our kingdom; and to our right trust cousin and counseller Alexander Erle of Dumfermline, Lord High Chanceller of this our kingdom, George Erle of Dumbar, Treasurer, George Erle of Marshall, Johne Erle of Marr, Johne Erle of Montrose, Patrik Erle of Kinghorne; to the Reverend Fathers in God, Alexander Bishop of Dunkelden, Peter Bishop of Aberdeen, Alexander Bishop of Murrey, Andrew Bishop of Brechin, David Bishop of Rosse, George Bishop of Dumblaine, Alexander Bishop of Cathnesse, and James Bishop of Orkney; to our trust cousins and counsellers * * Lord Lindsey, Simon Lord Fraser of Lovat, David Lord of Skoone; and to our trustie and weilbeloved counsellers, Mr Johne Prestoun of Pennycuike, President of our Colledge of Justice, Sir Richard Cockburne of Clerkingtoun, Knight, Lord Privie Seale, Sir Alexander Hay, Knight, our Secretar, Sir James Hay of Kingaskone, Comptroller, Sir Thomas Hammiltoun of Binnie, Knight, our Advocat; and to our lovits, Sir David Carnegie of Kinnaird, Knight, * * Dundas of that Ilk, Alexander Irwing of Drum, * * Ramsay of Balmaine; Mr Johne Arthure, Mr Thomas Hendersone, Mr Adam King, and Mr James Bannatyne, Commissars of Edinburgh; Mr Johne Wemes, Commissar of St Andrewes, Mr James Martine, Rector of the Universitie of St Andrewes, Mr Robert Howie, Principall of the New Colledge there, Mr David Monypennie, Deane of Facultie; Mr Patrik Galloway, Mr Johne Hall, Mr Peter Hewat, Mr Johne Mitchelsone, Mr Robert Wilkie, Mr Johne Strauchan, Mr Andrew Leitche, Mr Henrie Philip, Mr Arthure Futhie, and Mr Patrik Lindsey, Ministers, or to anie five of them, the said archbishop being alwise one, within the whole bounds of the province of St Andrewes. And to the Reverend Father in God, and our trustie and weilbeloved counseller, Johne Archbishop of Glasgow; Alexander Erle of Dumfermline, George Erle of Dum-

bar, Johne Erle of Cassils, James Erle of Glencarne, Johne Erle of Wigtoun, James Erle of Abercorne; and to the Reverend Fathers in God, Gawin Bishop of Galloway, Johne Bishop of Argile, Andrew Bishop of the Iles; and to our trustie cousin and counseller, Walter Lord of Blantyre; and to our lovits, Mr Johne Arthure, Mr Thomas Henrysone, Mr Adam King, Mr James Bannatyne, Commissars of Edinburgh; David Forsyth, Commissar of Glasgow; Mr James Haliday, Commissar of Dumfreis; Mr Johne Hammiltoun, Commissar of Hammiltoun; Mr James Hammiltoun, Commissar of Lanerick; Sir George Elphinstoun of Eastwod, Knight; Mr Patrik Schairp, Principall of the Colledge of Glasgow; Mr William Birnie, Minister at Lanerick; Mr Johne Hay, Persoun of Renfrew; Mr James Hammiltoun, Deane of Glasgow; Mr David Schairp, and Patrik Walkinschaw, Subdeane of Glasgow; Mr Thomas Ramsay, Minister at Dumfreis; Mr Johne Bell, Minister at Glasgow; and Mr Walter Stewart, Minister at * * or anie five of them, the said archbishop being alwayes one, within the whole bounds of the province of Glasgow, to call before them at suche tymes and places as they sall thinke meete, anie person or persons dwelling and remaining within their provinces respective above writtin of St Andrewes or Glasgow, or within anie dioceis of the same, being offenders ather in life or religioun, whom they hold anie way to be scandalous, and that they take tryell of the same; and if they find them guiltie and impenitent, refusing to acknowledge their offence, they sall give command to the preacher of that parish where they dwell, to proceed with sentence of excommunicatioun against them; which, if it be protracted, and their command by that minister be not presentlie obeyed, they sall conveene anie suche minister before them, and proceed in censuring of him for his disobedience, ather by suspensioun, deprivatioun, or wairding, according as in their discretioun they sall hold his obstinacie and refuse of their directioun to have deserved. And further, to fyne at their discretiouns, imprisoun, or warde anie suche persoun, who being convicted before them, they sall find upon tryell to have deserved anie suche punishment; and a warrant under the hand of anie five abovenamed

of everie province respective abovewrittin, the said archbishop of the province being one, sall serve for a sufficient command, for the captans and constables of our wairds and castells, and to all keepers of jayles or prisouns, ather to burgh or land, within anie part of the province respective abovewrittin, for receaving and deteaning suche persons as sall be unto them directed to be keeped by them, in suche forme as by the said warrant sall be prescribed, as they will answere upon the contrare, at their perrell. And of all suche fynes as sall be imposed upon anie offender, the one half to perteane unto our self, and the other halfe to be imployed upon suche necessar things, as our said commissioners sall be forced unto, by charging of parteis and witnesses to compeere before them; and the superplus to be bestowed at the sight of the said commissioners, by distributioun among the poore. Commanding the Lords of our Privie Counsell, upon sight of anie certificat subscribed by anie five of the saids commissioners, within everie province, as said is, the said archbishop of the province being one, ather of anie fyne imposed by them upon anie partie compeering and found guiltie, and of the contumacie and refusall of anie to compeere before them, that the saids Lords of our Privie Counsell direct a summar charge of horning upon ten dayes onlie; and that no suspensioun or relaxatioun be granted, without first a testificat under the hand of the archbishop of the province, conteaning the obedience and satisfactioun of the partie charged, be produced. And incace of farther disobedience or rebellioun of the partie who sall be charged for his fyne or not compeerance, the saids Lords of our Counsell are then to prosecute the most strict order, as is usuall against rebells, for anie other caus whatsomever, with power to our saids commissioners to proceed heerin; as also, to take tryell of all persons that have made defectioun, or otherwise are suspected in religioun; and as they find anie just caus against them, to proceed in maner foresaid. And als, whensoever they sall learne or understand if anie minister, preacher, or teacher of schooles, colledges, or universiteis, or of exhorting or lecturing readers within these bounds, whose speeches in publict have beene impertinent, and against the established order of the kirk, or against anie of the conclusiouns of the

bypast Generall Assembleis, or in favours of anie of these who are banished, wairded, or confynned for their contemptuous offences: which being no mater of doctrine, and so muche idle tyme spent without instructioun of their auditorie in their salvatioun, ought so muche the more severelie to be punished, in regarde that they are ministers, who, of all others, sould spend least ydle talke, and speciallie in the chaire of veritie. And, therefore, after the calling of them before the said commissioners, they are to be questioned and tryed upon the points of that which is layed against them, and punished according to the qualitie of their offence. And wheras complaint sall be made unto them by anie partie that sall be conveenned before anie ecclesiasticall judicatour, for anie suche cryme as he sall be then suspected of, or that the partie doeth alledge alwise the mater it self to be unproper to that judicatour, or the proceeding to have beene unformall, or that the judicatour it self has beene too partiall, and where the commissioners sall see anie just caus, they are then to take tryell and cognitioun therof unto themselves, and to discharge the said judicatour of all farther proceeding: Giving power also to our said commissioners to make choice of a clerk and other members of court, and to direct out precepts in name of the said archbishop, and his associats, within everie province, for citatioun of anie parteis before them within the bounds of the saids provinces, in anie of the saids causes abovementioned; which precepts are to be sealed with a speciall seale, conteaning the armes of the said bishoprick: Giving also power to charge witnesses to compeere before them, under the paine of fourtie punds Scotish money: And upon the certificat of the saids commissioners, that anie of the saids penalteis are incurred by them, the saids Lords of our Counsell are to direct the lyke charges for payment of the same, as is appointed for the fynes; as in the said commissioun past our great seale, conteaning diverse others heeds, clauses, articles, and conditiouns, and bearing date at our court at Roystoun, the 20th day of Januar last, at lenth is conteaned, wherof necessar it is, that publicatioun be made to all our lieges, that none pretend ignorance therof.

"Our will is heerefore, and we charge you straitlie and command, that incontinent these our letters seene, yee passe to the said burrowes within the provinces abovewrittin, and therin, by opin proclamatioun, that yee make publicatioun of the premisses, that none pretend ignorance. And als, that yee, in our name and authoritie, command and charge all our lieges and subjects to reverence and obey our saids commissioners in all and everie thing tending to the executioun of this our commissioun, and to doe nothing to their hinder or prejudice, as they, and ilk one of them, will answere to us and our counsell upon their obedience, at their highest charge and perrell. The which to doe, &c.

"Givin under our signet, at Edinburgh, the 15th day of Februar, and of our raigne the 47 yeeres, 1610.

"*Per actum Secreti Consilii.*"

This commissioun, and executioun therof, as it exalted the aspyring bishops farre above anie prelat that ever was in Scotland, so it putt the king in possessioun of that which he had long tyme hunted for; to witt, of the royall prerogative, and absolute power to use the bodeis and goods of the subjects at pleasure, without forme or processe of the commoun law, even then when the Lower Hous in England was compleaning in their parliament upon the injurie therof. So our bishops were fitt instruments to overthrow the liberteis both of the kirk and countrie. The pretence of this commissioun was, the advocatiouns to the counsell, purchassed by suche as were erroneous in religioun, or scandalous in life. But the true intent was, to exalt bishops with an extraordinarie power never knowne or practised within this countrie, that it might make way for the ordinarie jurisdictioun episcopall, which they were long hunting for; and so the pretended remedie was worse than the disease, for there needed no farther redresse of suche abuse, but to discharge the counsell and sessioun to acknowledge suche advocatiouns, that the proceedings of the lawfull judicatoreis of the kirk established by law might have free course. Heere yee may see, that one archbishop, with anie foure of the roll whom it sall please

him to associat to himself, may make up a judicatorie. They may cite, at the first instance, anie offender to compeere before them. They have power to advocat causes from the ordinarie judicatoreis, presbyterie, synod, sessioun, yea, Generall Assemblie, upon complaint of anie persoun ather scandelous in life or erroneous in religioun. Is this to assist and aide? or rather, is it not to weaken or destroy the ordinarie judicatoreis of the kirk? One archbishop, with foure secular persons, may judge upon heresie—may decerne the sentence of excommunicatioun, and may compell a minister to pronounce it, howbeit he be not made acquaint with the formalitie of their processe. One archbishop, with foure secular persons, may suspend or deprive anie minister, howbeit bishops were as yitt but simple ministers, without spiritual jurisdictioun over their brethrein. Was not this to usurpe spirituall jurisdictioun, without consent of the kirk? They may impose fynes without stint, waird without limitatioun of tyme. The Lords of the Counsell are charged to prosecute the most strait order against suche as will not compeere, or pay their fyne, that is used to be putt in executioun against other rebells. They have power to exerce the power both of the temporall and spirituall sword, by commissioun from the prince, without consent ather of Generall Assemblie or the estats in parliament, yea, without their knowledge. The bishops of England mainteane their episcopall jurisdictioun, wherof they were in possessioun, by this extraordinarie jurisdictioun, or power of a high commissioun, from the prince. Our aspiring bishops make it a forcible meane to acquire, or rather to thraw from the kirk, with the terrour therof, episcopall jurisdictioun, wherof they had never possessioun; and this is the cheefe meane whereby they have mainteaned, and doe still mainteane, ather extorted or usurped jurisdictioun to this day.

Mr Johne Spotswod, Bishop of Glasgow, and Mr Gawin Hammiltoun, Bishop of Galloway, had so incensed the king against Mr James Melvill, that he purposed to remove him from Newcastell to Carlill, which would have beene verie greevous to him, becaus thereby occasioun of intelligence both from his uncle in the South, and from his freinds in the North, would have beene taikin away.

But by the moyen he made at court, his removall was stayed. In the meane tyme, it pleased God to move him to penne an apologie, which, above anie thing he did, he wished to be weill done. It was penned in Latine, in the moneth of Marche, and dedicated to the king, but never sent to him. It is pithie, pathetick, and worth the reading.

In the moneth of Aprile, Mr David Hume of Godscroft sent this letter following to Mr James Law, Bishop of Orkney, after manie other letters sent before :—

"RIGHT DEERELIE BELOVED BROTHER,—I receaved your letter of the 12th of Marche, in Godscroft, the 20th day of the same. Now have I gottin the first leasure to answere to it.

"First, then, anent the same heed, which, for eshewing of contentioun, I permitt to be delete in that treatise of the soundnesse of our kirk discipline, which yee say, '*non satis est dixisse*,' and willeth me to prove. Give me leave, brother, it seemeth to be *satis dixisse* in that place, where I sett me not to prove anie thing of the whole narrative, in the nyne heeds and their underdivisions :—1. Nather the essentiall difference and bounds of paritie; 2. Nather the approbatioun of best instruments; 3. Nather conformitie of forraine kirks; 4. Nather farthest oppositioun to the enemie; 5. Nather vacuitie of pompous rites; 6. Nather lawfulnesse; 7. Nather use and utilitie; 8. Nather confirmatioun in parliaments; 9. Nather subscriptiouns and solemne oath. Though I know what contentioun might say anent them all, (which never wanteth words,) cheefelie against that of best men, and that of best kirks, I prove none. I take them all as cleere and knowne to them who will speeke truthe, and deale *bona fide*. But this first of all I take *pro confesso* with them to whom I speeke. For is it not to our selves, to the Kirk of Scotland? And is it *integrum* for them to damne it? If they doe, *possum ne agere ex syngrapha?* So that ather in respect of my purpose, which is not there to deduce probatioun, or in respect of that generall acknowledging, which is not yitt convelled nor impugned, nor so muche as reasouned against

seriouslie, I could doe no other than speeke of it as confessed; and if anie would denie it, then were it his to declare wherin it were disconforme. And if yitt the burthein of probatioun lay on me, could I use no other argument for the first, than the confessioun of the partie? Needed I other? or can they refuse that, or thinke they are evill dealt with, in that they are so urged? Lett them see and consider how they sall eshew it. For me, I can not, and therefore, can not meditat anie other probatioun of it, till that knott be first loosed.

"To the secund, anent the specifick difference of our kirk discipline, lett me call to your remembrance, how in our first conference neere by two yeeres since, your answere comming to this point, that 'there was nothing altered, nor to be altered, in anie essentiall point of our kirk discipline,' I craved of you to declare what yee called *essentiall;* wherin as yitt I gott no answere. Now, this dippeth upon the point in effect, and turneth that over on me to declare. Alwise, nather did I then demaund it captiouslie, to keep anie vantage therby, nather will I now be nyce, to lett you see what I then wrote to have sent you, but left it off till we had agreed on the point, least I might have seemed to have staved with a shaddow; the rather, becaus it was yitt most direct to our purpose. It was thus: I take ESSENCE and ESSENTIALL in thir maters, as in suche maters it useth to be taikin, and can be taikin. The mater we speeke of is GOVERNEMENT and POLICIE, of which, how manie kindes there be, yee are not to be taught by me, nor how everie distinct kinde has its owne distinct essence: The essence of monarchie, to be ruled by one (perhaps;) of Aristocracie or Oligarchie, by a number, the worthiest; Policie or Democracie, by the whole, the greatest multitude. In the first is Solenesse, in the secund, Excellencie, in the third, Universalitie in governement. Now, Governement is commoun to them all, called (I take) by the politicks, *summum imperium,* (I must use the Latine word,) and stands in stead of *gener* or *genus,* by the logicians so termed. This placed in one, without companioun or equall, they call Monarchie; in diverse equalls, if they be fewest, (as excel-

lentest commounlie are,) Aristocracie; if they be meanest, or the whole number, Policie. So that in the first, Singularitie is the difference and forme essentiall. In the other two, Number or Multitude, and Pluralitie: the smallest number in the first of them, the whole in the last; in both, equalitie, and paritie in participatioun of this governement. From which differences they receave their essence, (as in suche things essence can be,) whereby they are what they are, and differ from others. And this of civill orders in civill things.

"Now, what names sall we borrow from these civill governements, to apply to maters of kirk, out of the likenesse of these differences, Unitie and Multitude, and that distinguished in fewest, and maniest; and whole Inequalitie and imparitie in the first, Equalitie and paritie in the last? Or, if none of them be proper eneugh to that effect, I leave to dispute. This seemeth sure, if we consider the forme of kirk governement in Scotland, in Sessiouns, in Presbytereis, in Synods, and Generall Assembleis, we find in them all that paritie of governement, presiding, voting, constitutiouns making, cognoscing, censuring, sentence giving, concluding, &c., which kythes it self to be the essence of it most resembling these two last, yea, the last of these two, if we consider pastors by themselves, as a certane bodie making one people as it were, and incorporatioun of clergie, (as Papists, and bishops also, I trow, speeke,) separated from the laick sort. But if we consider them in relatioun unto the whole bodie of the kirk of Christ, and as a part therof within that countrie, then must they be the fewest number, fittest and most excellent, and so, rather resemble the former of the two. However it be, paritie in pastors is cleere in both, a full paritie and freedom in conveening; no pastor excluded in choosing, speaking, reasoning, concluding, prosecuting; all by the number and pluralitie of votes, without controlling anie superiour among themselves, there being no superiour in power of commanding, no preceeding nor presiding, but in order for order's sake, subject again to vicissitude and censure in the rest, the bridles of deborading in superioritie.

"This is it then, give it what name yee please, that giveth this governement a being, that makes it to be suche a governement. This is therefore the essence. This is it whereby it differeth from other disciplins not of the same sort. This is therefore the specifick difference. By this it differeth, and is distinguished from the Romish discipline and governement, which in that solemne Confessioun we cleere and deteast, under the name of Hierarchie, standing in superioritie of bishops, archbishops, and suche other degrees of imparitie in power of governement plaine contrarie to ours, and termining in monarchie or tyrannie, which yee please call it, (for they are of one essence of a sole governement, and the qualitie I thinke changeth not the essence.) By this it differeth from that English discipline; made up of that same hierarchie spokin of there, (deteasted as said is,) contrare altogether to ours; tending through the same degrees (cardinalls excepted) to the like, or not unlike sort of monarchie, ending in one or two archbishops; and if anie of these be above the other, or if both joyne, in anie other superioritie. Now, this being the essence of our discipline, it is eath[1] to discerne what is essentiall; and so to see that some essentiall part of our discipline is altered, or to be altered, and not onlie some essentiall point, but the whole essence thereof (governement by the whole pastors, and paritie in this governement) destroyed, and so the Scotish discipline destroyed, yea, another brought in contrare thereto, abhorred and deteasted by us, vowed and sworne against Romish or English hierarchie, for all is one, and they differ nothing in substance of the hierarchie and order sett doun in that Confessioun. For doe not bishops (there deteasted) preasse in, or are brought in alreadie, sett free cheefelie from their caveats, clothed with authoritie of ordinance of dioceis, of digniteis, of lordships spirituall and temporall, of Secreit Counsell, with commissiouns, perhaps, (and who wote how ample?) from his Majestie, whereby authoritie is givin not accustomed in the Kirk of Scotland; all derogative, yea, destroying the essence of paritie in governement? Or if this be yitt obscure, yitt it is cleere, in this

[1] Easy.

moderator breaking the bonds of paritie, to witt, vicissitude and censure; by his perpetuitie and freedom from censure of the brethrein of the presbyterie. Thridlie, is not the libertie altered in all sorts of conventiouns, whereby this discipline is administred? The Generall Assembleis cast in non-entrie, the synods now and then discharged; the presbytereis threatned, charged, horned? Is it not altered in the few choosing of commissioners of Generall Assembleis, by restraint of the choice to these moderators or their clerks? Is it not altered in the libertie of free speaking, reasoning, voting, and concluding; controlled by checkes, minasses; or compelled by feare of offence, by charges of horning, &c., by exemples of wairding or banishing? Doe not all these things alter the essence, even the essence of the discipline and governement?

"And though it were not so cleere, yitt if some shadow of old formes be yitt left, as in the alteratioun of the Roman governement, when with Julius monarchie re-entred, though the people conveenned, and had their forme of Comitia, though the senat was yitt on foote, though consuls were chosin and had name and countenance; yitt the force of authoritie and governement, the libertie in choice of persons restrained, from free choice, to the recommendatioun of the emperour, and the truthe of the old estate taikin away, none denyes, but the governement was altered, and the verie essence of it changed, from popular to monarchicall. So, though presbytereis remaine, though synods did, though Generalls also, shadowes and shewes of our discipline, notthelesse that paritie, freedom, and vicissitude taikin away, or the force therof brokin and restrained, the essence and essentiall points therof are also altered, as said is, or to be altered: Which not being lawfull to us of the Kirk of Scotland, in respect of our foresaid oath, this forme then creeping in, or thrusted in of bishops, &c., is not lawfull to us. And therefore, what ever glance they have, and how ever desirable they be otherwise, we must all give a fareweill unto them, and yee among the rest, procure als farre as in you lyeth the stay of them, and continuance of our owne discipline; which was the conclusioun in my first letter, premitted to my propositiouns.

"This I then wrote, and now, doeth serve to satisfie your demand, what I meaned by the specific difference? I would have proceeded to the rest of your letter, but that I consider, this being the state of our questioun, and these things thus standing, there needs no farther disputatioun. Cheefelie the greatest duetie, and wherin I had travelled not little, and thought might have bred greatest questioun, as then denyed, (that there was alteratioun of discipline intended,) is now cleere, by thir high commissiouns subverting all from the ground, as the report is, devolving all on bishops' hands that have them, whereby all force of all other ecclesiasticall judicatour is cleane cutt off, and so our whole discipline. Craving, therefore, your cleering of this point, which so affects me, that it seemes I am in conscience, and all are by that same oath bound and addebted, to stand for this discipline, and make all oppositioun [that] were in our hands to the contrarie. Be [it that] yee can have it weill at me, (I meane, this answered, and the rest censured,) I sall have, God willing, my judgement at you anent the rest of your letter. Which though in this regarde it be no way necessarie, yitt, for your pleasure, have I thought theron. Now wearied, I rest.

"Prestoun, 1610, Aprile 2."

ANOTHER LETTER.

"Now, to the rest of your letter: out of that which has beene said, is also answered your nixt demand, what paritie is, and wherin it stands; which is propouned verie purposelie, (for it is fitt to know,) but, I thinke, not verie necessarie. For it is weill knowne, nather is anie (I trow) ignorant, what paritie has beene in custome in the Kirk of Scotland; to witt, not in living, not in blood and birth, not in accompt among men, not in gifts or graces, nather naturall nor spirituall wisdome, discretioun, knowledge, utterance; not in estimatioun of their gifts with men without or within the kirk, with brethrein or others; but in power of governement, and handling of ecclesiasticall maters; which, I thinke, in

these three sorts is to be considered: 1. Whether it be in respect of their flockes, everie one has alike power over their owne flocke. 2. Or in comparisoun to others, none has more power over his brother, nor his brother has over him; no more jurisdictioun to cite him, censure him, or cognosce upon him, condemne or absolve him, punish or reward, admitt or depose, command or controll. 3. Or if it be in commoun things, the vote of one has no more weight nor the vote of another; all in an arithmeticall equalitie, and not geometricall, which I wote not if it sould be called Equalitie, and not Proportioun; rather, however, the Athenians or others would use the word Equalitie, and thraw it to their owne effect, by the first proper and true significatioun therof. By this likewise may be taikin away the contentioun anent the words *gradus authoritatis, dignitatis, honoris, eminentiæ, potestatis*, &c., whereas it may be, we have occasioun to see heerafter, if Saravia in his reply has dealt so sincerelie, as a disputatioun seeking the truthe craveth.

"To your reasouns against equalitie: and first, The first of them drawin from Scripture, and is, 'God ordeanned imparitie in the Old Testament,' I will not call this argument weake, if it be not so when it is formed. Putt to then the propositioun: must it not be this, if the argument be good? 'What ever God has ordeanned in the Old Testament, he has ordeanned the same in the New. But he has ordeanned imparitie in the Old, therefore he has ordeanned it in the New.' Now, this propositioun no man will avouche. For how can they? Pleases it Him not to alter formes? his counsells remaine indeid ever, and his purpose is unchangeable. But is there not varietie of actiouns, ordinances, formes, and orders, in all his whole worship externall? Does not even ornament, even decencie, change? How unseemelie now that was, then most seemelie? Ellis lett us bring in again all that old attyre, even to the High Preest's bells, which who so would use, what sould he seeme to doe or be? And who can dippe in His counsells, and give a reasoun of his actiouns, and varietie in them? It is for us to consider; if He biddes or not the continuance. If He doe, tell us where? if he doe not, it tyes us not, that he has once used. And this as I can frame the argu-

ment, except yee thinke otherwise. For tuiching the paterne wherof yee say, 'Where can we gett a better?' surelie no where, where he has sett it doun for a paterne. Otherwise, we but deceave our selves in imitatioun, not knowing his regarde and circumstances, tyme, place, naturalls of people, &c., as in all the civill law of the Jewes, &c. But giving and not granting that the Leviticall preesthood might be a paterne, it will not shape your imparitie thereby, nor be an exemplar of anie other order, than Christ has sett in his kirk under the Gospell, making the soverane Sacrificatour and High Preest, as he was appointed, not substantiall, but typicall; not the bodie, but the shadow; not the thing, but the signe, till Christ himself signified come; for otherwise, there was no superioritie amongst the preests, the sonnes of the familie of Aaron, as concerning their office of preesthood; but onlie that order which David sett doun, distributing them in 24 classes, to serve by order throughout the yeere, (1 Chron. xxiv.;) which order no wise excluds paritie in office and calling.

"The Secund from Scripture is out of the New Testament, that 'Our Saviour did allow imparitie:' yee must say, in these foresaids, or ellis we meete not; and that he allowed it in the foresaids, I see not, but by the contrarie, that he allowed cleerelie paritie, and commanded it, in that '*Reges gentium dominantur*,' &c., which text I could never see yitt to be wrested out of our folk's hand, and Saravia wrangleth in waste, eshewing the chocke, not recountering it, yea, verie evill eshewing it with all his subterfuges in my opinioun, and I have considered it as I could. What Beza sayeth, '*De Gradibus*,' I have not the booke at hand. The words yee cite, *eminentior gradus*, will not import this imparitie necessarilie; for nather will *gradus* nor *eminentior*, nor though be joyned, *eminentior gradus*. All may be of other things nor power of government heere sett doun. This I wait weill, Beza is not of your minde. Lett him be his owne exponer, for I wait not if we can now divert to deduce all, how and wherefore he sayeth everie thing. But for your questioun, '*Si eminentior gradus fuit a Christo ad constituendam ecclesiam ordinatus?*' why sould his ordinance be

abrogated, *ecclesia constituta?* Your owne words answere it verie weill; *Quia ecclesia jam est constituta*, the turne is done it was ordeanned for; which being done, it that it was ordeanned, for that caus ceasseth of will; nather is it abrogated by men, but expired by the ordeaner's ordinance, the turne being done for which it was ordeanned. And is it not to be seene so in other things also? The Dictator of Rome ordeanned to end a warre, ceassed he not when it was ended? Ay, so he did, except when Cæsar's tyrannie oppressed the commoun weale. And is it not necessarie, that he who has instituted an office, and annexed gifts unto it, when he maketh the gifts to ceasse, willeth that office to ceasse? But what this *eminentior gradus* can be, except it be the Apostolat, I can not gesse, yitt even it had paritie in themselves; none of them above another in the things said. And what it was above the offices instituted by it, what power it had beyond them when they were instituted, and in what things, what even over the multitude, (for all these things must be considered for the tryell of *gradus* and *eminentior*, and right accommodating of it to the particular questioun,) will take a longer tyme, and perhaps more curious disquisitioun, nor of necessarie importance to the questioun we are upon 'Of Bishops,' which will not, I take, be deemed by imparitie of the apostles, (though there were in them found imparitie,) in respect of the premisses.

"To the Seeund and Thrid arguments from nature and from reasoun, (being nature and reasoun, so sib as they are, and agreing so weill in one voice, speeking ever one language, and heere capable of answere,) I will for shortnesse joyne in one. And this I say, als muche as ever nature has made inequalitie, als muche it has made equalitie among things; and als muche it alloweth imparitie in unequall things, als muche it alloweth of paritie among equall things; als muche decencie, comelinesse, and commoditie, as it acknowledgeth or has placed in the one, als muche it acknowledgeth and has placed in the other. Als seemelie it is to see distinctioun in inequall things, als seemelie it is everie way to keepe sutablenesse and equalitie in the eqüall things. That whatsoever dis-

course, glorious in shew, rhetorick has found out, and exults in declaming for the one, may with no lesse grace (with helpe of the same rhetorick) be framed to the other, to sett it up no lesse on the other side. But they are not for the tyme; we agree in this, and your discourse tends to this, 'Æquall things æquallie and unequallie.' Lett us come neerer. One and the same things may be both æquall and unequall, eache to other, equall in one thing, and unequall in another. Nather has ever nature instituted anie so unequall in anie one point, that, therefore, it has made them unequall in all. But by the contrare, how ever it has in anie one thing unequalled or preferred to another, it has equalled it again in some point, or perhaps postpouned it to the same. Wherefore it is, that the same nature and reasoun also allowed als weill of paritie among these unequall things, (in that wherin they are equall,) as of imparitie among the equall things, in that wherin they are unequall. Heerefore, it will never be a good reasoun thus to reasoun: 'Things are unequall in this, (pastors putt 'in gifts,') therefore, they must be unequall in other things,' the said pastors, *scilicet*, in power of governement. But this rather; God, nature, order, institutioun, has made them, ordered them, instituted them equall in this. Therefore, in this they must have equalitie, be they never so unequall otherwise, nather must we compt it unseemelie or absurd. Try if it be not so. There is on the one side, a cleere inequalitie of age, experience, wisdom, discretioun, knowledge, learning, utterance, actioun, wherin all God has unequalled all pastors, that I thinke there sall not be found without anie inequalitie in anie of thir. Has He, therefore, appointed als manie degrees of power and governement, as there is inequalitie in thir, and everie one of them? It is not possible, for then sould there be no end of degrees, as there is no end of inequalitie in thir.

"But has He instituted anie degrees at all of power amongst pastors in respect of thir; or has He accommodated anie degrees of governement to these degrees of gifts? Goe through the three points of governement foresaid. 1. Over their flocke. Has God ordeanned anie man becaus of age, to have greater power over

his flocke than the younger? Sall the unequalitie of Timothie in age make him unequall in that power? Sall his unequall experience? Sall in anie persons inequalitie of utterance or eloquence, even of wisdom, discretioun, prudencie, learning, or other graces and gifts whatsomever? Doubtlesse the meanest minister in graces and gifts has als great power over his owne flocke, as the greatest in graces (yea, though they be graces for his functioun) has over his. Nature impedeth not, reasoun approveth it, all men confesse it, and your self doe acknowledge it. Consider it in civill things. Is it not siclyke? A shireff, for exemple, of meaner gifts, (though belonging to his functioun,) has als muche power by his shirefship in his shirefdom, as the shireff of greatest power has in his, the younger as the elder, the lesser in discretioun as the greater; so of proveists of burghes, so of bailliffes, of all kinde of offices in their kinde. Sall we seeke a reasoun of this thing so cleere? Is it not als cleere; he that ordeanned them, has ordeanned them with this qualitie, to be equall in power over their owne?

"2. Come to the Secund, in respect of others. Sall a pastor, becaus of his greater gifts, have jurisdictioun over another pastor? Sall he, becaus of his greater age, experience, utterance, and so furth? Sett these comparisouns in other offices; shireffs, proveists, bailliffes foresaid; nature and reasoun will both deny it, use and custome will belie it. Searche the reasoun: it is the same instituter has institute it.

"3. Come to the Thrid, (voting in commoun maters:) heere, in speciall, our reasoun seemeth to repyne; and men declame against our discipline, that in suche inequalitie of judgements, votes sould have equall weight. But I beseeke you consider, why sould this seeme strange to us, and against ather nature or reasoun, more nor the former two? Is not the ground one, (the ordinance of the instituter?) follie it is to denie it. Yitt, if they will say, nay, then will the questioun be, what he has done; not what nature or reasoun admitts, which is the questioun we are now on. That surelie I wounder how we are ather so untentie[1] not to advert, or

[1] Improvident, heedless.

so wilfull not to acknowledge, this mater, so cleere and customable in all governements in the world, in all republicks, in all ages, ever was, still is, and never can be otherwise, where voting is. Was it ever heard in maters handled by votes,—the vote of one was accompted of greater weight, becaus of his greater gifts, than the vote of another? I would runne through exemples, if it were needfull. Looke where the people has vote;—are not all men's there equall, nather in geometricall, but arithmeticall proportioun? But lett that democracie I meane be odious, (for I see whereto yee sound in the end of your letter:) is it otherwise in aristocracies? Is it in councels, in senats? Had ever one senator's vote more weight nor another's? Did Catoe's greater gifts give greater weight to his vote nor the simplest senator's, in concluding and compting votes? They might change their votes, perhaps, perswaded by his reasoun, and so eeke the number of votes; but the weight remained equall of one's as of another's. Is it not so of bishops? is it not so of all men?—so in generall councells? Is there anie accompt made, but by the number of votes? Sitt they doun to examine who has maniest or greatest gifts; and, by that, to make conclusiouns? Lett it be considered, that men may learne to be lesse unique to our forme. And yitt, I darre eeke heere one thing, that there was never a mater of anie great importance, namelie, in doctrine, or substantiall or accidentall points of discipline or governement, that ever past in conclusioun or constitutioun and act in our Kirk of Scotland, but which was determined upon *ὁ μοθυμαδον, communibus omnium suffragiis;* as in the first councell of the primitive kirk at Jerusalem, suche was the unanimitie and sweete harmonie therof, which continued ever till a worldlie, courtlie, and earthlie-minded factioun of commissiouners and bishops was drawin and politicallie stirred up to the disturbance, first, and now utter overthrow therof.

"But to see it yitt better;—if inequalitie of gifts sould rule this imparitie, what gifts sall we say sould it ratherest be? Age I can skarse call a gift; and gray heares sould indeid, but doe not alwayes, teache knowledge. Utterance and eloquence are not the

meetest things for governement: fitt they are to instruct; and, therefore, if they make inequalitie of power among pastors, it sould rather make it in the first point, concerning the power over their flocke. Experience without good considerance, and considerance not applyed by wisdom, are both to little or no purpose. Learning is postpouned, in a whole pund weight of it, to an unce of mother witt. Knowledge is manifold. To which sort of it all sall we give this honour? All these, in never suche measure without sinceritie, are worse than nothing; and wisdome, most pernicious in aspiring mindes, not to governe weill, but to impyre ill. Sinceritie without them is but neglected by maniest, &c. And so furth of others. To which one of them, then, sall we attribut that weight? Or, if all must concurre, where is that happie man? How sall we ken him, to weygh his vote? How sall we discerne him, to be governed by him? Sall it be, becaus he is a great man, or an archbishop, perhaps? Weill, I will say no farther: diverse will diverselie judge; and his markes are difficill to discerne, and to be agreed upon;—yea, who is perfyte in anie one of these gifts;—what one, what twelve, or though one were added? Weygh, weygh it, I beseeke you, brother, indifferentlie, and see how daylie experience teaches us this point in everie thing; how nature, how reasoun admitts it for passable: but what if even profitable, if, with a single ey, we looke on other sorts of governement? And, therefore, perhaps, has wisdom himself made choice of this sort of governement ratherest, in that diversitie yee write of graces which he has givin, and thus diversified, not to distinguishe degrees so muche, as to mixe gifts in the governement of his kirk by manie, according, as by harmonie, one with another; other where they are good, suppleing where defects are, ballancing and counterposing where imperfectiouns and infirmiteis are, rather than to concredit the governement therof ather to one or to a few.

"We can give a reasoun, ay, and it is eneugh that he thus or that way ordeanned things. Yitt may it be seene to the sight of the eye, this equall power of governement in unequall things not to be so farre out of purpose as we will declame, but of a wisdome

rather, to be admired, letting men see their mutuall mister, and making them furnishe mutuall helpe. Subtilitie and quickenesse in one (least it may vanish) fixed with the soliditie of another soliditie, and grosser humour of this stirred up by the spiritinesse of that other ambitioun; heere soaring up to the cloudes, drawin doun there by a counterweight wisdom and learning, least they might debord; in some, holdin in with more exquisite bonds of sinceritie, in another sinceritie again, least it might become simplicitie, sharpenned by the whetstone of the wiser and more learned. Loe nature, loe the voice of reasoun. Sall we speeke of use? Try in experience, and lett us say, truthe. To so good use, all that never other sort of governement proves perfytelie so effectuall to edifie that bodie of the kirk, keepe it in so good a temper within, propagat knowledge and order maners, thrust out and hold out enemeis, and save it self from returning to these old corruptiouns in anie countrie, lett invy say what it lyke.

"Now, where ye thinke that pastors can not be *ejusdem dignitatis et authoritatis*, (taiking the words as is said,) for power in governement, except they be *ejusdem emmeriti;* first, consider, what is said, if all senators of Rome were *ejusdem meriti;* if they be so in Venice; if all bishops be so, who are equall to other notthelesse; if all archbishops; yea, if it be so in anie thing. Secundlie, if yee will establishe that for a rule, *ut mensura meriti sit mensura dignitatis et authoritatis*, see if that sall not confound these digniteis yee would establishe by it, and make an archbishop perchance inferiour to a bishop, a bishop to a simple minister; and the inferiour that yee would compt so, to have jurisdictioun above his superiour. See, I say, if civill magistrat, prince, or king, will acknowledge that to be the voice of reasoun, and adventure their crownes at the consequence therof. Indeid, if there sould be degrees in kirk governement, it carieth the most appearance of reasoun, that merit sould make it.

"But that is not the thing I trow your folke would clame to, not seeking authoritie to shew merit, but to suche an office. As also, if the authoritie of merit be in anie sort of governement, it can

not be in bishops appearandlie; where the place is regarded, it must be in this paritie, where the merit is onlie regarded, and that voluntarilie, not to domine, as Saravia throwes, (and how malicious-lie throwes he it on Calvine and Beza eneugh, to disgrace his whole worke, if it were no more, showing cleerelie, how little cleerelie he deales:) or make domine but with a reverent yitt no more nor brotherlie respect, not to the place or persoun, but to reasoun and gift of God with the person; not by necessitie obeying man, but willinglie, weyghing the right and following it; not for his, but for its owne sake: nather perpetuallie, but when it approves it self as reasoun, and when he gives light to it, which I take to be it that Job meanes (when he had spokin, men held their peace) to consent, as satisfied, not becaus that he spake that was right, but becaus it was right that he spake; that is, allowed not the right for the person's sake, but the person for the right's sake; where he vindicats respect and reverence to his person, (perhaps,) but arising out of his person, but of his wisdom, justice, integritie, &c., that is, his merit. But this is hardlie to be found perfyte, or not at all in this our imperfection of knowledge, and sight through a cloude, in anie one person. Therefore can not that governement be committed to anie one, no, not to a few; but in respect of this foresaid mixture, is safeliest concredited to the whole pastors, and is as a part and perpetuall adjunct of their office. And therefore that justice of Aristotle's διανεμητικη or distributive which yee crave, is in this sort of governement most justlie measured to the duest proportioun, to witt, of mercie: it most rightlie gives and distributs to everie man, according to the said proportioun, their owne due regard and reverent respect; in greatest measure to the greatest gifts, power and governement in equall measure to the whole, becaus whole are equall in it; whereas to give the greatest power of governement to greatest gifts, (to witt, that which is commoun to one severallie,) is iniquitie against all justice, and lyker to that justice of Cyrus in his childhood, that gave the most coat to the most childe, where he sould have givin everie one his owne. So does that other sort of governement. It would per-

swade to give the greatest coat (to witt, the greatest power) to the greatest man, that is, to the greatest gifts. It was specious, and might have beguiled a childe; but he was leished[1] for it, and we must learne to be otherwise wise.

"To conclude, then, Christ that has ordeanned governement in his kirk, has made the power of it theirs to whom he has givin the power, that is, to the whole pastors conjunct equallie, as we say. To give this to others, or to proportioun it otherwayes among them, were to disproportioun in it, and iniquitie. Yee alledge otherwise. The questioun will be, whom to he has givin it? the tryell will be his Word. There will our arguments chocke. Yitt this farre in the meane tyme for the preceeding, that it is not against nature nor reasoun.

"To the Fourth argument, that paritie is against order, a verie odious thing appearandlie, as though it were therefore unorderlie and confused; for they seeme to follow, and are ill, and als ill insinuated. But what if they be not ill ay? what is the mater then? why sould we contend for words? Call it unorderlie, call it confused, or as yee please, if unorderlie and confused be not ay ill. Now, that it is not ay ill, yee shew your self, when yee say, (citing another,) '*Omne infinitum est inordinatum et confusum.*' I am sure, God (who mot be blessed) is *infinitum*, and *infinitum* is God. If he be then *inordinatum et confusum—inordinatum et confusum* are not ay ill, and is not of necessitie a blemish to paritie, though it be also *inordinata et confusa.* And that it is no blemish to it, yee cleere it better, saying it has no need of order, out of Licentius and Augustine, '*Summa æqualitas ordinem non desiderat.*' Say yee *non desiderat? Opus non habet*, has no need of order. If it have no need, then it is weill eneugh without it; then is it not to be compted for a defect and blemish, but for a propertie rather, and commendatioun, as is cleere in that Infinit, which is not so styled to reproache it, but to commend it. And that is sufficient for answere.

"Yitt to try it a little farther, and to see with what reasoun men

[1] Lashed, flogged.

sound with so full mouth the words of Unorder and Confusioun against this paritie so odiouslie, we sall weygh what is objected; and first, beginne at that definitioun of Augustine sett doun by you, allowed by Bernard, Nazianzene, and if yee list, the same Licentius. Where lett me premitt in this place, once for all, in due reverence of vertue in men yitt as in men, if N. had sett it doun with a good reasoun, it sould have beene als welcome to me, als greatlie respected, yea, more nor theirs, without reasoun; and I trow, yee will allow me to acknowledge reasoun onlie for the tuiche of truthe, not the persons of men, which makes me also to thinke it not amisse spairinglie to name men, as the muche naming of them wants not suspicioun of attributing too muche to them, and imports prejudice. To our purpose anent definitiouns in generall. I may say this one word, they are verie kittle in their strict lawes, and nothing worth without them, and furnishe als oft mater of contentioun as the light they promise. And if we sould try this same definitioun accordinglie, &c. But one thing in it I must compleane of, ambiguitie, the mother of obscuritie, where light sould be, leaving the minde verie perplexed a great fault; for how sall we expone that *Parium impariumque rerum?* The sentence may be *parium*, to witt, *per se, et separatarum ab imparibus*, and then it would follow, that there were some order *parium rerum*, which yee denie, and would take away by this definitioun. The sentence may be also, *parium cum paribus sua quæque in locâ dispositio, nempe, parium in sua, imparium in sua;* which must it not yitt induce *comparationem et ordinationem parium inter se?* For compared with other things, with unequall things, they are not *paria*, will it not also induce *sua loca?* which both make still for order in paritie against this alledged confusioun. And this for that first fault, doubtsomenesse of sense, and yitt, in either sense importing rather order *in paribus* nor taiking it away. Besides, this definitioun must be over strict if it belong to order onlie, where *paria* and *imparia* are digested in order together; for that would import no order to be where all were *imparia;* which were absurd.

"Therefore we must seeke another definitioun: who would weill

defyne order I darre not presume, and thinke it the worke of a refynned ingyne. It is eneugh how we know how the word is used.

"To your argument, craving three things in order, 1. *Primum et ultimum;* 2. Varietie; 3. Συμμετρια, πανοσμια, and proportioun; wherof, say yee, none is in paritie; no Primus, except it be the moderator, and he is by our Confessioun but *primus ordine.* I must answere, is it not eneugh to make *ordinem?* yea, does it not inferre order necessarilie; ellis, how could he be first in order? Then he is but *currens,* say yee, from one to another; first to day, last to morne. Give me leave to be mirrie with you, since it pleaseth you to use suche words currant: our moderator stands or sitts stone-still, runnes never a foote, (for that would indeid breake order,) and has beene als fast and constant in good some tymes as their *perpetuus,* whom they call constant. But to what purpose these words; and what inconvenient is in that change? Certanelie great use and commoditie against ambitioun, the bane of all good order, so that it helpeth to keepe order, lett be that it sould take it away. Siclyke, when you demand who is *secundus,* who is *ultimus?* may I not answere, he that happeneth so? It is eneugh to make order, yea, it is the right forme of order amongst equalls, 'He that comes first to the hill,' &c. It serves for that order at that tyme: and what if anie of them be the morne in another place; that takes not away order, but establishes it. See the exemple in souldiours ranked; are they not in good order? What if the rankes be changed? is order taikin away for that? Lett them turne their toes where their heeles stood, yitt are they in als good order, though he be hindmost that was foremost even now, and contrare. Then, is it of necessitie for order, to have *primum et ultimum?* then were there no order in circles and celestiall globes, *ubi non est prius et posterius, initium aut finis,* and therefore can not be *primum et ultimum.* And consequentlie not in the starres, wherin we acknowledge admirable order.

"2. For Varietie, which yee say is not but Unitie and Identitie, I pray you appardoun me: identitie can not be said to be in paritie,

at least which yee call *summa identitas*, which excludes all varietie (and so, order) of persons, and manie other things.

"3. Als little is that your *summa unitas*, which taketh away *partes* and partitioun, which is in indivisible things onlie, as in the Godhead, and in suche onlie can take away order, becaus of that exact unitie; whereas, if there be but als muche diversitie as is betweene *Totum et Partes, et Partium inter se*, it is eneugh to gett order; for there may be *ordo partium*, and it must be, yea, if we consider it is not rather a diversitie and varietie imported of necessitie by equalitie. For the word importeth comparisoun and relatioun, which can never be in suche identitie and unitie, but by the contrare, in varietie and diversitie; for relatioun must be among diverse things. It that is *æquale*, must be *æquale* to some other thing; nather can we heare that word sooner, but als soone are diverse things presented to our minde, *ut est natura relatorum*. As for συμμετρια, it is onlie, at least cheefelie, among equall things of one measure; συν et μετρον, αρωνια is most perfyte in unisone; παρραγωνια is but concinnitie, which may be in paritie, or not needfull, if yee meane all concents and all concordances. As for proportioun or αναλογια, siclyke it is without necessitie to order, *ratio et* λογος is eneugh, and that is als weill *æqualis* as *inæqualis*. Yitt even anent *proportio et* παραγωνια, why may they not be in this governement by paritie? Yee will say, becaus of the equalitie. Weill, lett it be so; suppone they be not in equall things, in so farre as they are equall, may they not be in them notthelesse in that wherin they are not equall? for we have said no things are so fullie equall, but they are unequall in some points, and anie inequalitie leaves a place to that same order *imparium rerum*, at least, an order of place and tyme, which is eneugh to gett an order.

"But to end these maters, I beseeche you take heed, what ever is said against paritie in this governement, is said against paritie in generall, so must we take away all paritie. At least, it is said against all paritie in governement, and so, against all governement, in so farre as paritie is in it; wherof will follow against all policie in the particular significatioun of it, that there is no order in it; then, against aristocra-

cie, wherof all the members being equall to others, it must be compted likewise without order. So have we the orders of Rome without order, their Comitia of their tribes, their senat it self; the senat and whole republick of Venice, which is compted a weill ordered republick; yea, the consulat of Rome, two of them equalls. Then no order among them, say we; then was it not a currant consulat: one the day consul; the morne, yee can not tell in what place. There, Censors and Dictators all currant; so a whole currant commoun weale, yitt ay weill, till it was fixed and made constant fra that running and currencie, in that so commendable monarchie (forsuith) of *perpetuus dictator*, the image of the God head, and all perfectioun of governement. But looke even on monarchie itself, how unorderlie will it be found in manie points of it! Beginne at the principall (nixt the monarch himself) his counsell. Are not all counsellers equall with others in votes, and in so farre as counsellers? There is paritie, therefore, no order in counsell. And if there be a *primus*, lett it be so, yitt who is *secundus?* who is *tertius?* who is *ultimus?* Then is not this *primus?* And are they not all currant, changable, and changed we see, at the prince's pleasure? And not to fyle my feete with farre gates, (as they say,) our sessioun or senat of justice, no order in the world in it, by the same reasoun! So have we now no order in monarchie nather; and so, no order in no kinde of governement or republick by these reasouns. But since that were absurd, then must I acknowledge these reasouns not good, and learne to take order in another sense, and know it is comptable to equalitie also; and that it is a good order to keepe equalitie in equall things, as to keepe inequalitie in unequall things; and that, in the Kirk of Scotland, is not a reproachefull confusioun, but a lovable and good order due, and right varied, and weill proportiouned in the right sort, (yea, als right, as in them that boast so muche of order,) in conveening, in reasouning, in voting, demanding, answering, convenientlie, fructuouslie; yea, caus of better order in instructing the people, in ordering of maners, and right use of Christian behaviour, nor ever heirarchie has done, where it has beene continued, or is appearand to be, (by anie thing we can

see,) where it may be brought in again. Alwise, I blame not your argument in that it is logicall, (as yee seem to feare,) for I compt a logicall argument a good argument, and logick it self a good handmaid or servant to theologie, mastresse of all; and in effect, all argument and reasoun to be logicall, be it internall or externall, even these that yee subjoyne of fathers, councels, historeis, records, registers, (which yee say yee have for you,) if they be good and just weight; and for that, we have to weygh them in the ballance of the sanctuarie, and tuiche of the Word, when it sall please you to produce them. Alwise, I protest to you, I have weyghed them as I can, and surelie cannot thinke that yitt of them, but the contrare.

"Anent the Fyft and last argument, that paritie is against policie, becaus it is a democracie: and if it be not, what forme of governement is it? say ye. I may heere first call to your remembrance my former declaratioun anent definitiouns, which who so will seeke exact; and theron exactlie appropriat names to everie thing, must seeke some ather of a more refynned ingyne, more hardie, and more confident in it than I am. I seeke the effect, and use names as I may, nather ever have will to stand on words which I thinke also to be reasoun; and that suche exact pressing of definitiouns, and use of words according to the pressed definitiouns, gives als muche caus and mater of contentioun as light in things.

"I have (as I can) declared the effect, and use, and forme of paritie in governement; give it what name yee best please, it contents me: but to searche out an odious name, throwoon an applicatioun of that name, and by the name, conclude a blemish, is a forme of doing rather muche used, nor weill and duelie. If there be a blame in the thing, then shew it, and say it at the namest: if there be none, why is a name sought out to disgrace it by? But, tell me in good sadnesse, thinke yee your self, that there is givin to everie thing a proper name? Thinke yee, names that are givin will byde the tryell of a subtile definitioun? Yea, these that they have made and named, are they to be found mere and simple—*purum putum*, as we say? and not rather as the mediciners grant of their

complexiouns which they call foure, yitt not to be found exact, ather sanguine, melancholick, phlegmatick, cholerick; but so mixed, and in suche degrees, that out of that quadruplicitie ariseth a strange multiplicitie of complexiouns, almost als manie as of persons in the world, never two of them perfytelie concurring in all points? Conferre me these great bodeis of commoun weales, their complexiouns, and constitutiouns of governement. I am deceaved, or yee sall find them not unlike. Where is that full constitutioun of a mere monarchie; and in what countrie to be found? Where is that kingdom without all mixture of anie of the other, aristocracie or policie? Where is that king, that sole governour, that worthiest, that best man onlie for the weale of the countrie, cheefelie procuring his owne weale but by accident; using his power but to that end, and by the lawes onlie? Where is that aristocracie of the best? that true policie of the whole people? And if we goe to the faults of these, where is, or where ever was that tyrannie, to whom the people gave, or themselves tooke that high degree of power (men call absolute) of men's lives, goods, or libertie at their pleasure; to slay, to take, to imprisoun, on their simple will? What people ever acknowledged it? What law ever ordeaned it? What man ever clamed it? Not the Turke, certanelie, and he is compted principall in that caus. Yea, what perfyte definitioun is there yitt sett doun, extending to all kings, and reaching no farther, which is the law of a good definitioun? who has sufficientlie explicated *summum imperium?* who anie of them, ather *summum*, ather *imperium?* What the word *potestatem* sufficientlie? And as for *absolutum, et infinitum*, I would gladelie heere your minde of it, it sounds so harskelie, (if not blasphemouslie,) at the first hearing in the proper sense. And whill men mollifie it by interpretatiouns to eshew that they bind it, they band it, they limit it; which, I thinke, is to destroy it again, and make it anie thing rather nor absolute, or infinit in effect. Siclyke of Oligarchie, be it faultie, be it faultlesse, as it is used for both. Siclyke Democracie, nothing lesse ambiguous, as comming from δημος, which is *populus*, and then is not ill, when all the people governe (to vertue;) or as

plebs, and then is ill, when the baser sort draw all to them. In all this, (ather the bad or the good,) hard it is to find the definitiouns so exact, or themselves so perfyte, without anie mixture, in suche sort, that politicks are constrained to acknowledge it; and speeking of governement, darre not simplie say, what kinde of thir everie governement of anie republick is to be referred unto; but say, it has of aristocracie this, that point of democracie, this of a kingdom, that of a tyrannie, all foure or moe perhaps in one republick; which makes me thinke fittest to speeke spairinglie, in appropriating of names to anie of these same civill governements.

"Now, in ecclesiasticall, it must be harder to sett doun a precise name, from anie of these being to it not so proper, but metaphoricall or analogicall, burrowed from this onlie. For nather have we πολις, properlie tane, nather, therefore, πολιτεια; nather αριστος, therefore, in it to make αριτοκρατια; nather δημος, for δημοκρατια; least of all, βασιλευς, to make βασιλεια, and μονος, for μοναρχια, save in our head, Christ; that as with reasoun I am laith to appropriat anie of the names, so will I not contend for the name with anie man, lett him give it what name he pleaseth. If he like call it Aristocracie in the reasoun above said, if he call it Policie, I impede not: if he will needs have it Democracie, rather lett him be doing so, that he tooke Democracie in that good sense wherin it is lawfullie taikin; and meane not by the name, to draw on the reproaches that are blowne out against the faultie Policie, which is also called so. If he lyke to call it Mixture of Aristocracie and Policie or Democracie, (as Aristotle acknowledgeth suche mixtures,) it seemeth likest of all. How ever it be, lett us remember, that men detracting anie of these governements, style it by the worst name and defect of it; calling monarchie tyrannie, aristocracie oligarchie, policie democracie, in the faultie sense. And heere, they raine on railings against policie, for democraceis sake, and under that name; (cheefelie, suche as are themselves favourers or flatterers of tyrannie,) als unjustlie as *others doe: the like on* monarchie, for tyranneis sake. Which as yee doe modestlie forbeare, for not offending me, and referres to politicks, when yee

say, 'Lett them give their verdict on it,' so could I have beene content yee had roundlie sett doun the authors, and their owne words; where I am deceaved or that distinctioun would have cleered the self, and kythed what democracie they meaned of, or ellis, the sentences of the Syssers (I love to use Scotish language, als good as English, if my countreis love blind me not) to have beene no *verdicts*, but *false*-dicts, (*falsa dicta,*) and then lettin them be kend for the men they were, themselves partiall, their jureis perjured. How ever it be, this I must needs call to your remembrance and warrie observatioun, that a speciall caus that makes the democracie or policie it self heare so ill is, that men thinke it an inept thing, that manie of the multitude being altogether ignorant of manie things, sould judge or vote of that wherof they are ignorant.

"Yitt some defend them in this, and not altogether out of purpose, and, as I doubt not, yee know weill enough by Aristotle in his said Politicks. To which lett me eeke is this, Is it not so also with that great and so praised monarchie? Are they not, (manie of the monarchs, I meane,) must they not all be verie ignorant of manie things they take on them to be judges in? And if yee answere, they whom they appoint to be judges are not ignorant, is not that answere als competent to policie; and may I not reply, No more are they whom the people choose to be judges ignorant? Or if yitt that seeme harske, becaus the people not having knowledge of a thing, can not convenientlie choose them that are fitt for it, will not that same reasoun make against the monarchs in the like cace; yea, so muche the more against monarchs, as amongst the people (force it is) there must be some skilfull of anie thing can occurre? With a monarch it cannot be so.

"Then, are the grounds good and solide, of the reasons that postpone policie, and preferre monarchie so farre: 1. Becaus it is so in bees, a king among them; 2. So with God? For the last we must leave Him as incomparable. May it not be said, when monarchs have that skill and will, even the best monarch yee can devise, then sall we acknowledge the similitude? For bees, what then? Manie als good beasts, in whom appeares no king. Looke

on sheepe, on nolt, on hors, almost on all the rest: why sould that singular be preferred to all? Why compt we not the exemple of the rest als conformable to nature, and als tits, imitats nature in them? Then, who can tell all the mystereis of that societie? Who wait nor that king of theirs may be chosin by the rest? If we say, he is borne so, are we sure it is by successioun? If it be of nature, and he kend by his markes, then lett the monarch so borne with suche and suche markes of monarchie be compted naturall. Alwise that king of bees never come to his kingdom by force nor his owne conqueisse, nather by electioun, the ordinar originall of monarcheis, that the exemple can not be weill accommodated. And who wote if he be not rather a duke, as among the Venetians, and tyed to a counsell, nor a king with absolute power? Sure it is, he has people that obey, but voluntarilie, for he has no sting, nor meanes of compulsioun. But how ever that be, we acknowledge no suche difference among men by nature. Degrees of pre-eminencie are but brought in by merite, and sould be framed to it, (by your alledgancie;) and all confesse the furthest distance betweene man and man (servitud) to be by and besides, if not contrare nature; brought in but *jure gentium*, all men being free by nature. And that this or that man is a monarch, the ground is not nature but electioun or force, being in nature but as other men. Nather can anie thing be of nature that is of force. But verie conforme to nature is it by all appearance, that men alike free have some participatioun in their commoun weale. This, and manie suche other things, will be found, why that popular governement or democratic (where it is in use) is not so farre to be compted inferiour even to monarchie, to say no farther. So that not onlie is it against policie, but most conforme to it, and vendicats therefra that generall name of Policie, in a particular sort to itself, whether Κατ' εξοχον or not lett it be considered, for it would seeme so.

"Alwise, that verie eylast of ignorance of the multitude, which is in that civill policie, is even taikin away heere, in this governement of all ecclesiasticall discipline which we are now on. And this advantage this hath above that popular, that in the popular, *sutor* may be

ultra crepidam. Amongst pastors in the ecclesiasticall it can not be. The sutor may meddle with the tailyeour's doublet, the tailyeour with the shaiping of his shoe, and both tailyeour and sutor must as citicens meddle with others' affaires, and many other things wherein their daylie callings affoord them no knowledge; farre different from it, and altogether ἑτερογενης: pastors, by the contrare, with nothing but that which is within the compasse of their calling, ὁμογενης with it, annexed to it, and adjunct of it, wherin he is daylie versed by his verie calling, the ordinar mater of his studie and meditatioun. So that in some of these may be grosse ignorance of that wherof they cognosce, in none of thir can be that extremitie of ignorance. In some of these is a rudenesse, barbaritie, uncapablenesse of informatioun; in all these some manuring of ingynes to conceave, and if naturall, tractable to apply what is rightlie sifted and found out by reasoun. And this at the least that can be said, though (if we will heare truthe) there must be also a knowledge in pastors, if they be pastors. And there is even a knowledge, and that measure of it in the simplest of them, wherby the wisest may receave admonishment not to be contemned by the Christianlie modest; and where that knowledge may seeme to be laiking, suppleed with a worse gift, no lesse profitable in governement, uprightnesse and sinceritie, to make up that harmonie wherof I have spokin of before. And what if there were greater defects? Who has the wyte? The admitters, that can find no fitter; or the providers, that sould procure fittnesse,—instructing youth, providing for the instructed? Where is there not then *defecta*? Where not als great, yea, greater, more hurtfull to the kirk and life of its spiritualnesse, and that by manie degrees; greater ignorance in teachers, ambitioun in governours that call themselves so, self care, pompe, pride, partialitie, *prosopolepsia* in both teachers and governours, sleuth, and neglecting the flocke? That it seemes to me there is no reasoun to despise the simplicitie of the kirk of Christ of Scotland, nather to detract it with suche odious names as democracie, in the sense they take it for ochlocracie and popular confusioun; muche lesse suche hard speeches as some

of your folkes are said to use, calling it the inventioun of the devill; and that strangers who insult and declame have no caus of insulting over it, nor mater of boast in the shewes and pompes of their owne, God having blessed it beyond theirs in all efficacie and spirituall blessing, which is the effect of governement, and greatest tryell if a governement be good or not. That if this be democracie, I say democracie is good, and better farre nor their ather aristocracie or monarchie; give it what name yee please, so that it produce me the best effects.

"To conclude then, by anie thing I can yitt see or consider in this tryell, paritie of pastors is not against the Word, not against nature, not against reasoun, not against order nor policie; but by the contrare, most conforme to the Word, most agreable to nature and reasoun, standing best with order, best of all with policie, yea, Policie, so properlie called. Which I againe referre to your good considerance, craving pardoun for thir blotts, and manie marginatiouns in this my haistening, and for anie faults anie wise escaped; but not *to* the faults. And the Lord of all pardouning pardoun and reforme all that is amisse in all that sincerelie seeke him and his truthe. Amen. To whom with you, &c. Aprile 10, 1610."

When the bishops became lords in parliament, counsell, checker, sessioun, lords of temporall lands and regaliteis, patrons of benefices, commissioners in the king's high commissioun, and consequentlie, great and terrible to the ministrie and other professors, then was it thought fitt tyme to convocat a Generall Assemblie, but suche a one as they had devised themselves, and under colour therof to throw out of the kirk's hand the power of all ecclesiasticall jurisdictioun. To this effect was the Erle of Dumbar sent doun with commissioun from the king, and with him three English doctors, Doctor Hamptoun, Doctor Mirritoun, and Doctor Hudsone. When he came to Newcastell, he dealt earnestlie with Mr James Melvill to apply himself to pleasure the king, assuring him, that he sould be als highlie advanced as anie minister in Scotland. "Why may yee not be a bishop," said he, "als weill as manie

godlie and learned men?" Mr James answered, "Becaus it is an office direct contrare to the Word." "Wherin?" said the erle. "In two points," said Mr James: "one, that a minister sould be lord over his brethrein; another, that Christ's minister sould beare civill office in the commoun wealth." The erle desired him to read the wryttings, and heare the sermouns of the best learned. "I have read and heard," said the other; "but I perceave that it is not God and his truthe that moveth men, but the honours, wealth, and pleasures of the world, which I thanke God never moved me, nor sould move anie faithfull minister." "Weill," said the erle, "Mr James, I am no scholler, and cannot reasoun in these maters; but seing I can not gett you to doe as I would, and so doe for you as I would, I pray you be content with that I can doe for you." He brought him to Berwick, and there he left him confynned. The chanceller and sindrie erles, lords, barons, and gentlemen, to the number of sixteene hundreth hors or thereby, accompaneid the erle at his entrie to Edinburgh upon the 24th of May. The proveist, bailliffes, counsell, and a number of burgesses, were attending in the utter closse of the palace to welcome him. That same day, after rysing of the counsell, there were two silver maces or wands overguilded with gold, caried by two gentlemen, the one before the Erle of Dumbar, the other before the chanceller. This ceremonie was observed daylie after wheresoever they went.

Soone after, the presbytereis receaved their missives directed from the king, and seconded with the bishop's letters to some of them, for holding a Generall Assemblie, which was a thing unlooked for by reason of the last proclamatioun, and the rumors spread by the bishops that we would never gett a Generall Assemblie again; but now were they surprized unawars.

THE COPIE OF THE BISHOP OF ST ANDREWES' LETTER TO THE PRESBYTERIE OF CHIRNESIDE.

"Grace be multiplied unto you.

"BELOVED BRETHREIN,—After my heartilie commendatiouns in

the Lord: I have receaved a letter from the king's Majestie anent the directioun of commissioners to the approaching Generall Assemblie. And to the effect yee may understand my commissioun to you for that effect, and the king's Majestie's pleasure, I thought good, as having credit of his Majestie in these maters, to shew to your moderator the authentick letter that has proceeded from his Majestie's hand, and to send to you the note of the persons whom his Majestie has thought fittest for that worke. This I beseeche you, since our presbytereis in Fife, and, as I heare, the presbyterie of Edinburgh, hath agreed to the king's desire, that yee will not faile to send a free unlimited commissioun with these brethrein who have also receaved their severall missives from the king's Majestie, that yee seeme not to be singular and refractorie to reasonable petitiouns. I hope that this my counsell sall be weill accepted of you. And since suddane and wilfull conclusiouns have wrought suche bitter effects, I hope yee will not provocke the king's Majestie to wrathe without anie necessar occasioun. Thus, I beseeke God to blesse you all with the spirit of truthe and love to the end.

"Edinburgh, the 28th of May 1610.

"Your loving and assured brother,

"St Andrewes.

"*To our trustie and weilbeloved,*

"*The Moderator and Brethrein of the Presbyterie of Chirnside.*

THE KING'S MISSIVE.

"James Rex.

"Trustie and weilbeloved, we greete you weill. Albeit we, justlie fearing the disorders that might arise in the Generall Assemblie appointed to be holdin at St Andrewes, the * * day of May nixt, by reasoun of the differences now in the church for maters of discipline, did, by our letters published in Februar last, desert the said meeting; and speciallie declared that it was not our minde to appoint anie new Assemblie before we were weill assured of the peaceable inclinatioun of these of the ministrie who sould meete and conveene therat; yitt, having beene latelie ad-

vertised of great confusioun arising in the church by reasoun of the loose and unsattled governement which is therin, and being intreated by sindrie of our good subjects, bishops, ministers, and others, for licence to some generall meeting of the church, wherin hope is givin us that some good course, by commoun consent, sall be taikin for redresse of all misorders, and the divisioun of mindes that so long continued among the ministrie, to the great scandall of their professioun, sould ceasse and be extinguished, we have beene pleased to yeeld to their requeists, and granted libertie for a Generall Assemblie to be holdin at Glasgow the eight day of Junie nixt. And, therefore, we will and require you to make choice of the most wise, discreit, and peaceablie-disposed ministers among you, to meete and conveene the said day and place, instructed with sufficient commissioun from the rest, as in other Assembleis you have beene accustomed; and to advise anent the excommunicated erles, what order sall be taikin with them, for their satisfactioun of the church. Anent the late erectiouns, to communicat to our commissioners the estat of everie church, within anie of the same, the maintenance allowed thereto. An overture for supleing the churches which are not sufficientlie provided; and what is the best course to be taikin for the readie payment of the ministers, so as they be not distracted from their charge, and forced to attend the law for discussing of suspensiouns, and suche like questiouns arising therupon: In which point we have had manie greevous complaints from diverse of the ministers there, and understand our good purpose tuiching them and their maintenance to have beene wonderfullie crossed; and that they be readie to give their best opinioun in all the former points, and in everie thing ellis that sall be demanded of them, for the good peace of the church. And becaus, by our letters, we have particularlie acquainted the Archbishop of St Andrewes of our purpose heerin, and sent unto him a speciall note of the names of suche as we desire to be at our said meeting, it is our pleasure that you conforme your selves thereto, and make choice of the persons that we take to be the fittest for giving advice in all maters; wherin yee sall doe us acceptable service. We bid you fareweill.

"From our Court at Whitehall, the first of Aprile 1610."

Some letters were sent also to particular persons, namelie, suche as were chosin out by the bishops for that purpose. For howbeit the king maketh mentioun in his missive of a note of the names sent from him to the bishop, yitt, the note and roll of the names was sett doun by the bishops; for there is no likelihood that the king was acquainted with the dispositioun of everie particular person that was writtin to, or understood in what presbyterie they made their residence.

Before the Assemblie conveenned, the Erle of Dumbar and the bishops had three dayes' serious conference, contriving how to order maters at the Assemblie. Upon Fryday, the eight of June, and first day of the Assemblie, a fast was keeped; but like the fast that was indicted when Naboth's vineyaird was taikin from him. Mr Johne Spotswod, Bishop of Glasgow, taught in the morning upon these words of Jeremie, "I would have cured Babel," &c. The maine drift of his discourses was to aggredge the sinne of sacrilegious persons. By the way, he nipped also the laick patrons. In end, he said this speeche: "Yee looke that I sould speeke some thing of the purpose for which this Assemblie is conveenned. I will say no more but this, Religioun must not be mainteaned after the maner it was brought in in this land. It was brought in by confusioun; it must be mainteaned by order. It was brought in against authoritie; it must be mainteaned by authoritie," &c. Mr James Law, Bishop of Orkney, taught at ten houres upon these words: Rom. xiv. 19, "Lett us follow these things which concerne peace," &c. After he had shewed that peace behoved to be joyned with veritie, otherwise, bettet to have no peace, he tooke upon him to prove the lawfulnesse of episcopall governement. Passing by *jus divinum*, he stood upon these three points, Antiquitie, Universalitie, and Perpetuitie. He proved the fact by the continuall custome of the kirk and consent of the Fathers. *Jus facti* he passed by; as also another questioun, how farre the power of bishops sould be extended; howbeit he had proponed that heed in the beginning, and promised to treate upon it. He concluded with a solemne oath and protestatioun of his

perswasioun of the lawfulnesse of episcopall governement. After noone, the little chaplane, Doctor Hudsone, taught upon the beginning of the secund of the Acts. For prooffe of the superioritie of bishops, he alledged Christ teaching his apostles,—some at his head, some at his bosome, some at his feete. After the fore noone's sermoun, Mrs Patrik Schairp, Johne Mitchelsone, Patrik Lindsey, Johne Spotswod Bishop of Glasgow, being removed, the Bishop of Glasgow was chosin moderator by pluralitie of votes, all voting for him except five that voted for Mr Patrik Schairp; which prognosticat no good in this Assemblie. Dumbar, the bishops, manie statsmen and noblemen, some ministers,—deemed by the simpler sort to be opposite to bishops, howbeit they were not suche in deid,—were nominated to be upon the privie conference.

Upon Saturday the privie conference mett in the morning. The rest of the ministers conveenned at eight houres, and satt looking one to another till about ellevin. Dumbar presented to the conference the king's letter, and caused it to be read twise. It conteaned, first a declaratioun of his affectioun to religioun, and oppositioun to the antichristian enemie, above all enemeis. Secundlie, a declaratioun of his care to establishe a solide forme of discipline in the Kirk of Scotland: how that he had givin his presence to sindrie Assemblies to that effect, after he had suffered anarchie to bring furth suche evill effects, as that it could not be longer tolerated: that as he beganne first to found the governement of bishops before his departure out of the countrie, so, since that tyme, he has spaired no expences or travell to vindicat the jurisdictioun spirituall out of the hands of civill men. He compleaned that, notwithstanding of the paines and travell that he had taikin, he had found some letts to hinder the perfytting of that worke. Whether the letts arose of the wilfulnesse or ignorance of suche as would not subject themselves to that governement, or of the lingering of the other sort that were more plyable, he was not fullie informed. That, therefore, he has conveened this present Assemblie,—not so muche of necessitie, or as if their consent was muche requisite,—as to manifest his earnest desire to have peace and concord in the

kirk, and to make these that sall oppose themselves heerafter inexcusable. Therefore, he desired everie one to show their fordwardnesse to so good a worke, and to testifie their good-will to him, and expect his favour. After the letter had beene twise read, the president likewise made an harangue. After that he had ended his harangue, they advised upon the points that were to be treatted in the Assemblie; to witt, upon order to be taikin with excommunicated Papists; provisioun of ministers serving in the kirks; of the late erectiouns; upon the meanes of peace and concord. At the Erle of Dumbar's desire, they beganne at the last. After long reasoning, it was committed to six bishops and six ministers to conferre upon it apart by themselves: to witt, the Bishops of St Andrewes, Glasgow, Orkney, Aberdeene, Brechin, * * * Ministers: Mrs William Cowper, Johne Hall, Patrik Schairp, Andrew Leitche, George Hay, Johne Stratoun. There was some shew of oppositioun made in the privie conference by Mr Johne Hall and Mr William Cowper, etc., about the negative voice of bishops in ecclesiasticall meetings; and their oath made in the contrare was urged. Dumbar produced a letter sent from the king, wherin the bishops were commanded ather to accept the whole office, or to quite their places. They answered, they were willing; and none upon the conference made farther oppositioun. They came furth to the Assemblie; and Mr Johne Spotswod, the moderator, excused their long stay at the conference. Mr Peter Primrose, with some other ministers of the West, were minded to protest against the proceedings of the Assemblie, and for the liberteis of the kirk. But he beganne no sooner to breake off, when the moderator interrupted him, after he smelled his intentioun, and referred him to the privie conference: and why? becaus it was hie noone, and tyme to go to dinner. But he and his associats were so wrought upon, partlie by minassing, and partlie by flatterie and faire words, that there was no dinne of a protestatioun.

The privie conference mett after noone, and agreed upon some conclusiouns. These conclusiouns were propouned by the moderator in opin Assemblie, and concluded. He alledged, that they had past in the privie conference, none except two contradicting.

It was conjectured, that Mrs William Cowper and Johne Hall were the two he meant of. But whatever was their part in conference, their voice was never heard in the Assemblie, but when they gave their simple votes. The conclusiouns were not propouned or discussed severallie, or discussed at all; so easilie did the king and his bishops atteane to their intent. To draw them on to condemne the Assemblie holdin at Aberdeene, Mr Spotswod used this reasoun: "The brethrein banished have promised to confesse a fault, if their fact sall be condemned by a Generall Assemblie: So, if we declare the Assemblie holdin at Aberdeene to be null, they sall returne to their owne congregatiouns." After they had obteaned their intent, Dumbar produced the king's discharge to keepe presbytereis. Then was there an outcry and noise in the Assemblie among the ministers, who had notwithstanding weakenned the power of the presbytereis, and almost spoiled them of all authoritie with their owne consents. This was but a skarcraw to putt them in feare, where they needed not feare; for presbytereis could not be altogether abolished, till bishops' courts were substituted in their rowmes, which for the present could not be brought to passe. Dumbar tooke occasioun upon the outcry to promise, upon his honour, to procure, so farre as in him lay, to gett that discharge recalled, providing they would subscribe the conclusiouns which were past. By this cunning, he gott the hands, als weill as the voices, of manie foresworne Balaamites. Money was distributed among them, and givin largelie to suche as served their turne, under pretence of bearing their charges. A number of ministers brought from Orkney, Cathnesse, and Sutherland, who had never seene the face of a Generall Assemblie, were weill rewarded, for comming so farre to doe good service. Mr James Law, Bishop of Orkney, their captan, and the cheefe perswader and procurer of their comming and consent, was carefull to see them weill served. When Mr Johne Balfoure, a minister in the South, came to him, and compleaned he had gottin nothing, he answered, "Yee have done no service to his Majestie, for yee voted, *Non liquet*." Johne Lawder, minister at Cockburnspeth, comming too late, when there was nothing resting to be dealt but ten pund, fourtie penneis

lesse, was content to take that small sowme, and to dispense with the want of fourtie penneis. The constant moderators, so manie as were present, gott their hundreth pund, which was promised at the first conventioun holdin at Linlithquo, where they were constituted perpetuall moderators of presbytereis. To some was promised augmentatioun of their stipends, namelie, to Mr Michaell Cranstoun, minister at Cramound, which was also performed. Mr Johne Hall, one of the ministers of Edinburgh, gott a pensioun for his prevaricatioun. Mr Cowper gott a bishoprick; whether it was promised to him at that tyme or not, we are not certane. Dumbar professed plainlie, he would have no man there to give anie countenance of mislyking; and had the king's guarde readie, to committ suche as would oppose stoutlie to their proceedings. The name of *Presbyterie* was rejected, as odious to his Majestie, as a word which he could not heare with patience; and, therefore, that word must be absteaned from in their acts and conclusiouns. The word PRESBYTERIE was rejected politicklie, that the bishops might bruike under doubtfull phrases, and bereave the presbytereis of their power, and assume in tryells, suspensiouns, depositiouns, ordinatiouns, &c., suche ministers within the bounds where these actiouns were to be performed. The ministers, howbeit content to forbeare the word Presbyterie, never dreamed that the presbyteriall meeting it self sould be deprived of their interesse in these actiouns; but tooke these two phrases, "The ministers of the bounds," or, "The brethrein of the exercise," to meane nothing ellis, but that classicall meeting of presbyters or ministers weeklie assembling; and, therefore, made they suche an outcry, when Dumbar presented the king's discharge of the presbytereis. Some ministers charged the conclusiouns to be contrarie to God's Word; some alledged, they were bound by oath to mainteane the established discipline. Some answered, when it came to voting, they had no commissioun from their presbytereis. Manie had limited commissiouns. Some had commissioun to protest against whatsomever thing sould be concluded prejudiciall to the acts of former Assembleis, as the commissioners of Hadintoun, Mr James Carmichaell, &c. But few did as they were directed or limited. To make all sure, there

were in this Assemblie, beside threttein bishops, threttein noblemen, fourtie barons and other gentlemen, who had no commissioun ather from presbyterie or synod.

The nixt day, that is, the Lord's Day, Doctor Hamptoun preached before noone, upon Psalme 122. 1. He taxed sacrilegious persons, and the governement of synods and presbytereis. Doctour Mirritoun taught after noone, upon 2 Cor. i. 12. The substance of his doctrine was, a defence of the calling of Bishops.

Upon Moonday, the moderator, Mr. Spotswod, after he had praised God for the happie successe they had found in the first point, to witt, the meanes of peace and concord in the kirk, propouned the other two, viz., taiking order with Papists, and provisioun for ministers. Both were referred to a meeting of foure or five bishops, with Dumbar, who were appointed to make up a roll of the excommunicats and unplanted churches, and send it to the king. So the Assemblie was dissolved, no new Assemblie appointed, and the 133 Psalme chanted.

The conclusiouns of this Assemblie, as they were extracted out of the register by the clerk, and givin out at the same tyme, heere follow:—

FOLLOW THE HEEDS AND ARTICLES OF THE DISCIPLINE OF THE KIRK TO BE OBSERVED IN ALL TYME COMMING.

"In the first, it is declared, that the alledged Assemblie holdin at Aberdeene is null in the self, speciallie in respect it had not his Majestie's allowanee, and was dischairged by his Hienesse' commissioner. And becaus the necessitie of the kirk craves, that for order taiking with the commoun enemie, and other effaires of the kirk, there sall be yeerelie Generall Assembleis, the indictioun wherof the Assemblie acknowledges to perteane to his Majestie, by the prerogative of his royall crowne; and, therefore, the Generall Assemblie most humblie requeists his Majestie, that the Generall Assembleis may be holdin once in the yeere; or, at the least, in respect of the necessitie foresaid, that his Majestie would

appoint a certane tyme, at which the same sall be holdin preciselie, in all tyme comming.

"*Item*, It is thought expedient, that the bishops sall be moderators in everie diocesan synod, and the synod sall hold twise in the yeere, of the kirks of everie diocie; viz., in Aprile and October; and where the dioceis are large, that there be two or three synods in convenient places, for the ease of the ministrie.

"*Item*, That no sentence of excommunicatioun or absolutioun therefra be pronounced against, or in favours of anie persoun, without the knowledge and approbatioun of the bishop of the diocie, who must be answerable to his Majestie for all formall and impartiall proceedings therin; and the processe being found formall, the sentence to be pronounced at the directioun of the bishop, by the minister of the parish where the offender dwelleth, and the processe beganne. And incace the bishop sall be found to have stayed the pronouncing of the sentence against anie persons that have merited the same, and against whom the processe has beene lawfullie deduced, the samine being tryed, and he convicted therefore in the Generall Assemblie, that advertisement sall be made to his Majestie, to the effect another may be placed in his rowme.

"*Item*, That all presentatiouns be directed heerafter to the bishop; and upon anie presentatioun givin, or otherwise sute made by anie to be admitted to the ministrie, the bishop is to require the ministers of these bounds where he is to serve, to certifie by their testificat unto him of the partie, suter, and his conversatioun past, and abilitie and qualificatioun for the functioun; and upon the returne of their testificat, the bishop is to take farther tryell; and finding him qualified, and being assisted by some suche of the ministrie of the bounds where he is to serve, as he will assume to himself, he is then to perfyte the whole act of ordinatioun.

"*Item*, In depositioun of ministers, the bishop associating to himself the ministrie of these bounds where the delinquent served, he is then to take tryell of his fact, and upon just caus found, to deprive.

"*Item*, That everie minister, in his admissioun, sall sweare

obedience to his Majestie, and Ordinar, according to the forme sett doun in the conference keeped in the yeere of God 1571 yeeres, wherof the tenour followeth:—

THE FORME OF THE OATH TO BE GIVIN BY THE PERSON PROVIDED TO ANIE BENEFICE WITH CURE, THE TYME OF HIS ADMISSIOUN BY THE ORDINAR.

"I, A. B., now nominated and admitted to C. of D., utterlie testifie and declare in my conscience, that the right excellent, right high, and mightie prince, James the Sixt, by the grace of God King of Scots, is the onlie lawfull supreme governour of this realme, als weill in things temporall, as in conservatioun and purgatioun of religioun; and that no forrain prince, prelat, state, nor potentat, has, or ought to have, anie jurisdictioun, power, or superioritie, pre-eminence and authoritie, ecclesiasticall and spirituall, within this realme.

"And, therefore, I utterlie renounce and forsake all forraine jurisdictiouns, powers, superioriteis, and authoriteis; and promise that from this tyme furth I sall and will beare faith and true allegiance to his Hienesse, his heyres and lawfull successours, and to my power, sall assist and defend all jurisdictiouns, priviledges, pre-eminences, powers, and authoriteis granted and belonging to his Hienesse, his heyres and lawfull successours, or united and annexed to his royall crowne. And farther, I acknowledge and confesse to have and hold the said C., and possessioun of the samine (under God onlie) of his Majestie, and crowne royall of his realme; and for the saids possessiouns, I doe homage presentlie unto his Hienesse, in your presence; and to his Majestie, his heyres and lawfull successours, sall be true, so helpe me God."

"*Item*, The visitatioun of ilk diocie is to be done by the bishop himself; and if the bounds sall be greater than he can overtake, he is then to make speciall choice, and to appoint some worthie man to be visiter in his place. And whatever minister, without just caus and lawfull excuse made, sall absent himself from the visita-

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tioun, or the diocesan assemblie, he sall be suspended from his office and benefice; and if he amend not, he sall be deprived.

"*Item*, Exercise of doctrine is to be continued weekelie among the ministers, at the tyme of their accustomed meetings, and to be moderated by the bishop, if he be present, or then, by anie other whom he sall appoint at the tyme of the synod.

"*Item*, The bishops sall be subject in all things concerning their life, conversatioun, office, and benefice, to the censure of the Generall Assemblie; and being found culpable, with his Majestie's advice and consent, to be deprived.

"*Item*, That no bishop be elected, but who has past the age of fourtie yeeres compleit, at the least; an actuall teaching minister by the space of ten yeeres.

"Which whole articles being diverse tymes publictlie read in the face of the whole Assemblie conveened, after voting, the samine were ratified, approved, and concluded by the whole Assemblie, and ordeanned to be observed in all tyme comming.

"Forasmuche as in this present Assemblie, it is alreadie statuted that the exercise sall be moderated by the bishops in the meeting of the ministrie, if they be present, or then, by anie other whom he sall appoint at the tyme of the synod; and becaus the nixt synod is not to be holdin before the moneth of October nixtocum, therefore, it is ordeaned, that in absence of the bishops, the constant moderators sall remaine in their owne places, whill the nixt synod to be holdin in October nixtocum.

"*Item*, Becaus it is uncivill, that lawes and constitutiouns, ather civill or ecclesiasticall, being once established and in force, by publict and opin consent, sould be controlled or called in questioun by anie persoun: Therefore, it is statuted by uniforme consent of this whole Assemblie, that none of the ministrie ather in pulpit in his preaching, or in the publict exercise, speeke or reasoun against the acts of this present Assemblie, nor disobey the samine, under the paine of deprivatioun, being tryed and convicted therof; and speciallie, the questioun of equalitie and inequalitie in the kirk be not treated in the pulpit, under the said paine; and that everie

one of the commissioners present intimat this act in the first meeting at their exercise, &c.

"Extract furth of the Register of the Acts of the Generall Assemblie, by me,

"MR THOMAS NICOLSONE,
"Commissar of Aberdeene, Clerk, Keeper, and Extracter therof."[1]

In these conclusions, anie man may see the governement of the kirk altogether altered. The ordinar indictions of the Generall Assembleis is abrogate, and made to depend on the pleasure of the prince; the provinciall synods are turned in diocesian synods or visitations; and as for the presbytereis, not onlie was the name abolished, but also the power enerved and made obnoxious, by the negative voice of the bishope. He may perfyte the worke of ordinatioun, with some ministers of the bounds where the persone is to serve, without the presbyterie: he may suspend, depryve ministers, associating to himself some of the ministers of the bounds where the delinquent serveth, without the presbyterie, if we looke to the words; but indeed, if we looke to the meaning of that convention, they tooke these words, "the ministers of the bounds," to be equivalent to the name presbyterie, which they behoved to forbeir, for offending, forsuth, the king's Majestie. But their secrete intent was, to steale from the presbyterie all power, and associate onlie so manie of the bounds as they pleased, whether they were within the bounds of one presbyterie, or promiscuouslie assumed out of diverse presbyteries. Soone after the dissolving of this Assemblie, three of them went to England, and were consecrate to the office of a bishop, wherof the Assemblie never dreamed, howbeit their perfidie be grosse eneugh otherwayes, in that they tyed ordinatioun, suspension, deprivation, excommunicatioun, moderation of synods and presbytereis, to the persons who were called bishops,

[1] From the close of this paragraph to the end of the work, the History is continued in a different handwriting, which accounts for the slight change in the orthography.

not in respect of their offices, but in respect of their benefices; and were chosin, or to be chosin, to vote in Parliament, and bound with certane caveats or cautiouns. The names of commissioners of presbytereis and others, noblemen or barrons, guiltie of this great overthrow of the discipline of the kirk, deserveth to be holdin in remembrance, to their perpetuall infamie, and, therefore, I have heere insert them as followeth :[1]

THE GENERAL ASSEMBLIE OF THE KIRK OF SCOTLAND, HOLDEN IN GLASGOW, THE 8TH OF JUNE, THE YEAR OF GOD 1610 YEARS, IN PRESENCE OF THE KING'S MAJESTIE'S COMMISSIONERS, VIZ.,

The Earle of Dumbar. My Lord President.
The Archbishop of St Andrews. My Lord Secretarie.

Of the Nobilitie.

EARLES.	LORDS.
Montrose.	Lindsey.
Glencarne.	Scoone.
Cathness.	Blantyre.
Wigtoun.	Kintail.
Kinghorne.	Mr of Tillibartine.
Abercorne.	Comptroller.
Lothian.	Kilsyth.

Of the Ministery.

ORKNAY.	CATHNESS.
Bishop of Orknay.	Bishop of Cathness.
Robert Stewart.	Mrs William Pope.
Mrs Patrik Waterstoun.	Thomas Paipe.
William Hair.	James Gray.
Andrew Dishingtoun.	Andrew Ogsburie.

[1] Instead of the names there is a blank page in the original, but the list which follows is given from the printed folio edition of Calderwood.

Ross.
Mrs George Monro.
Robert Rock.
Brechen.
Bishop of Brechen.
Mrs Dugald Campbell.
Andrew Leitch.
Richard Merchestoun.
James Eliot.
Arbroth.
Mrs Arthure Futhie.
Patrick Lindsey.
Andrew Drummond.
Henrie Phillip.
Johne Guthrie.
Dundie.
Mrs David Kinneir.
Robert Rynd.
Murray.
Bishop of Murray.
Mrs James Dundas.
Thomas Dundas.
Patrick Dundas.
William Clogie.
Alexander Rauson.
William Reid.
Aberdeen.
Bishop of Aberdeen.
Mrs David Rait.
Archibald Bleckburne.
Robert Burnet.
John Logie.
John Reid.
John Gavein.
Robert Merser.
Mrs Abraham Sibbald.
George Hay.
James Hay.
Robert Maitland.
John Strauchan.
Robert Ross.
Robert Reid.
Alexander Guthrie.
Mernes.
Mrs Andrew Ramsay.
James Rait.
Adam Walker.
Meegle.
Mrs Henrie Guthrie.
Alexander Kinninmouth.
David Brown.
Perth.
Mrs William Couper.
Archibald Moncreife.
Dunkelden.
Bishop of Dunkelden.
Mrs Silvester Ratray.
James Menzeis.
Alexander Ireland.
Auchterarder.
Mr James Burdoun.
Stirline.
Bishop of Dumblane.
Mrs William Stirline.
William Narne.
St Andrews.
Archbishop of St Andrews.
Mrs David Monipennie.
William Murray.
Simeon Durie.

UNIVERSITIE.
Mr Robert Howie.
COUPER.
Mrs James Martine.
Robert Buchanan.
John Caldcleuch.
Thomas Douglas.
KIRKALDIE.
Mrs John Mitchelson.
William Murray.
Alan Lawmonth.
DUMFERMLINE.
Mrs James Stewart.
Andrew Forrester.
William Paton.
EDINBURGH.
Mrs John Hall.
Peter Hewat.
Michael Cranstoun.
LINLITHGOW.
Mrs Robert Cornwal.
Alexander Keith.
Robert Gilmour.
Thomas Peebles.
DALKEITH.
Mr Patrick Tournour.
HADINTOUN.
Mr James Carmichel.
DUMBAR.
Mrs Edward Hepburne.
John Lauder.
Thomas Hepburne.
PEEBLES.
Mrs James Logan.
Robert Levingstoun.
CHERNSIDE.
Mr John Clappertoun.
DUNSE. KELSO.
Mrs James Knox.
Thomas Storie.
John Balfour.
GLASGOW.
Archbishop of Glasgow.
Mrs Patrick Sharpe.
John Bell of Glasgow.
Andrew Boyd.
PAISLEY.
Mrs Johne Hay.
Archibald Hammiltoun.
William Birstoun.
George Maxwel.
DUMBARTOUN.
Mr Walter Stewart.
HAMMILTOUN.
Mrs Thomas Muirheid.
James Hammiltoun.
David Sharpe.
John Howison.
LANERK.
Mrs William Birnie
John Lindsey.
Robert Wilkie.
AIR.
Mrs Peter Prymrose.
John Makcorne.
William Wallace.
IRWING.
Mrs Alexander Scrimgeour.
Michael Wallace.

DUMFREIS.
Mrs Thomas Ramsay.
Robert Huntar.
Robert Henrison.
Simeon Johnstoun.

KIRKCUDBRIGHT.
Bishop of Galloway.
Mrs John Aikman.
William Hammiltoun.
Robert Glendinning.
James Donaldson.

WIGTOUN.
Mr James Adamson.
Mrs John Watson.
George Kinnard.

ARGILE.
Bishop of Argyle.
Mrs John Cameron.
Donald Makilrorie.
Neil Campbel.
John Makcallum.
Nicol Makcalman.

ISLES.
Bishop of the Iles.
Mrs Patrik Stewart.
Robert Stewart.

Of Barones.

Drumlanrig.
Glenurquhie, younger.
Wauchton.
Bombie.
Northberwick.
Calderwood.
Balnamoone.
Minto.
Balmaine.
Gairntullie.
Duntreith.
Mr Samuel Cockburne.
Sir George Elphingstoun of Blythswood.

Of Burrowes.

EDINBURGH.
Mungo Makcal.
Edwart Ker.

PERTH.
Gawin Dalyel.

DUNDIE.
Mr William Ferguson.

ABERDEEN.
Alexander Rutherfurde.

ST ANDREWS.
John Knox.

GLASGOW.
James Forfeit.

Howbeit the power of presbytereis and synods was much enervate by the conclusions of that corrupt crew, yit notwithstanding, it was not altogether extinguished nor abolished. They encroache

farther than was granted at that convention, more through the cowardise and negligence of the ministrie than through anie right they have; which I prove by these considerations following:—

THE POWER OF SESSIONS, PRESBYTEREIS, AND SYNODS, AND GENERALL ASSEMBLEIS WEAKENED, BUT NOT ALTOGETHER TAKIN AWAY, BY THE CONCLUSIONS AGREED UPON AT THE CONVENTION HOLDIN AT GLASGOW, IN THE MONETH OF JUNE, ANNO 1610.

Generall Assembleis may yit choose their owne moderator, notwithstanding the act of Glasgow; for the convention did not appropriate the moderation to a bishop, farre lesse to an archbishop or primate, of whom no mention was made in that Assemblie. It was expresslie provided in the caveats agreed upon at Montrose, that none that sould have vote in Parliament sould come as commissioners to anie Generall Assemblie, or have vote in the same at anie tyme comming, except he be authorised with a commission from his owne presbyterie to that effect. Farre lesse, then, may he moderate, unlesse he be freelie chosin. When bishops and superintendents were in our kirk, the first fyfteene yeere after the Reformation, simple ministers were chosin moderators, and not ever superintendents or bishops. The first thing, then, to be done in a free Generall Assemblie is, to remove the bishops, to trie what power they have granted to them by anie free and lawfull Generall Assemblie, and to disable them ather to vote or moderate till they be denuded of all their unlawfull and usurped authoritie or power; or els we but mocke God and his kirk in joyning with them, and betray the liberteis of our Generall Assembleis; which being lost, no other libertie can be recovered. Their naiked presence, let never so great libertie be offered to reason and vote, taketh away the libertie of Generall Assembleis, so long as they are thus armed with power. For suppose a bishop be considered in anie Assemblie as a simple moderator or a simple voter in that case, yit by a divided consideration it is to be remembred, that bishops out of the Assemblie has power over all the members of the Assemblie,

in the High Commission or out of it, to try, suspend, depose, imprison, transport, present to benefices, or conferre to the presented. The Protestants alledge, there can be no free œcumenicall councell, whatsoever libertie be offered or pretended, so long as the Pope claimeth, usurpeth, or exerceth power over other bishops, *extra concilium*, and they fredd of their oath. The lyke reason holds against our bishops.

It was supponed by the convention holdin at Glasgow, that the petition to the king for an Assemblie to be holdin once in the yeir, or at a precise tyme, to be appointed by the king in all tyme coming, would be granted. And therefore, by that convention, the bishops were ordeaned to be subject in all things concerning their life, conversation, office, and benefice, to the censure of an ordinarie Generall Assemblie, holding preciselie at certaine tymes: otherwayes they would never have tyed presbytereis and synods to them in the maner they did. Seing this was their intention, the holding of Generall Assembleis ordinarilie and at precise tymes failing, all the power granted to them by that convention faileth, and is of no force; for they intended not at that convention to give them anie power or authoritie, but that which another Assemblie might have taikin from them, and the exercise wherof was lyable to the tryell of an ordinarie Generall Assemblie.

He may, by the act of Glasgow, depute another minister of the diocie to visite his diocie, but not to moderat the diocesan synods, unless the visitation of the diocie and moderating the synode be taken for one thing. It seemeth, indeid, that they are takin for one thing: for in that act it is ordeaned, that whatsoever minister, without just caus or lawfull excuse, sall absent himself from the visitation of the diocesian assemblie, (or, as in the act of Parliament is exponed, from the visitation or diocesian assemblie,) sall be suspended from his office and benefice: and if he amend not, he sall be deprived. And this kinde of visitation of ministers assembled at a diocesian synod is called by Sylvester, in his *Summa, non plena visitatio*, distinguished from *plena*, when the bishop visiteth the particular kirks of his diocie. See we not that they use

no other visitation of the particular kirks of their dioceis but upon rare occasiouns? Chooseth not the bishop his owne clerk without consent of the synode, substituteth a vicegerent when he pleaseth without consent of the synode; prorogueth the dyet at his owne pleasure; summoneth persones to compeir in his owne name, and not in the name of the synode; suffereth nothing to come in voting but what he pleaseth, or the names to be called for giving voices but when he pleaseth; numbereth or pondereth them as he pleases; and when he hath numbered and they have pyped, he may dance as he pleaseth; and yit we will beare the world in hand, that there is noe difference betuixt the provinciall assembleis we hae and the diocesian synods we have now, but onlie, that the bishop is constant moderator. If it be not anie episcopall visitatioun, why suffer we the pretendit bishope to substitute a vicegerent, seing that part of the act which toucheth the synode in name of a synode, giveth him noe such power, or to doe anie thing but that whilk a simple moderator sould doe? Episcopall visitation, and a provinciall synode which we had before, cannot consist together at one and the self-same meeting, and with one and the self-same maner proceiding. We ought, therefore, to leave nothing to the bishope at a synode but simple moderation, or els it is not a synod which we hold, but a convention, wherin we subject our self to his episcopall visitation. It is true, his simple moderation taketh away the libertie of the synode, becaus by a divided consideration, he has out of the synode power over all the members of the synode. But we preasse now noe further than the Act of Glasgow. It is ordained by the Act of Glasgow, that all presentations be directed heirefter to the bishope, but noe expresse mention maid of presentations to benefices. So, by presentations may be meanit presentations to the office of the ministrie; and so much the rather, becaus there is noe mention of collation of benefices in that act, but onlie of presentations of sutes and ordination. So collation of benefices was not taken from presbyteries by the Act of Glasgow, and therfore, presbyteries are wronged by bishops for usurping this their right. The act of parliament gave them that power without consent of the kirk.

By the Act of Glasgow, the bishope is to requyre the ministers of the bounds where the persone presented or suting admission is to serve, to certifie by their testificate unto him what has bein his conversation past, what is his abilitie and qualification for the function; and upon that testificate is to take farther tryell. This is a rediculous forme of proceiding, that efter testification of his abilitie and qualification, the bishope sall enter in farther tryall. For what if he judge him not qualified efter their testificate of his qualification? Yit, when the bishope cannot except against the conversation, abilitie, or qualification of the persone presented or suted, efter his own tryall, he will not proceid till the persone presented or suted sweare and subscryve some articles formed by himself, without anie warrant of a Generall Assemblie or act of Parliament. The presbyterie in such a case may proceid to admission by themselfs; for the act has not deprived them of the power of admission *simpliciter*, but onlie ordered the maner of proceiding; wherin if the bishope faile for his part, they are not debarred from their part, and proceiding to the act of ordination, unles there were holden anie ordinare Generall Assemblie once in the yeir, or at precise tymes. For it was not the meaning nor intent of that convention that the kirk sould ly destitute of a pastor for the bishop's frowardnesse.

If the bishope be weill pleased, and find, efter his own tryall, the persone presented or suting admission qualified, he is to perfyte the wholl act of ordination, but assisted by the ministers of the bounds where the persone presented is to serve; that is, by the presbyterie, as was the meaning of that convention; becaus the king could not comport with the name (presbyterie) as was there alledgit, howbeit it be a word used by the Holie Ghost in the Scripture. May not then the presbyterie ordaine or admitt, in case the bishope refuse the assistance of the ministers of the bounds,—that is, of the presbyterie where the persone is to serve? May not it be interpreted refusall when he will not come to the bounds where the persone tryed is to serve, and admitt him there, while he may have their assistance? for the act bindeth not the assisters

to assist in anie place whatsoever, whither the bishope will call them, either in or out of the diocie. *Onerosa sunt restringenda.* The Booke of Discipline, and acts of former Assemblies not yit repealed, ordaine that ministers be admitted in the congregations where they are to serve. But bishops doe admitt and ordaine, not in the bounds, let be in the congregation where the persone presented or suting admission is to serve; but in anie part of the diocie he pleaseth, and some tyme out of his diocie, and without assistance of the ministers of the bounds or presbyterie where he is to serve, and sometyme without the assistance or presence of anie minister within the diocie; as of late, a young man was admitted in Leith to a kirk in Galloway, three ministers onlie being present, not one of them a minister of Galloway.

Bishops may not, by the Act of Glasgow, deprive or suspend ministers, but [1] associating everie one of them severallie, the ministrie of these bounds where the delinquent serveth; and is there, according to the act of parliament, also to take tryall of the fact; and upon just caus found, to deprive or suspend. All the bishops, therefore, conveined together have not power to suspend or deprive a minister, either in or out of the Court of Highe Commission, ather associating to themselfs or not associating ministers; nor yit anie bishope in severall, but associating the ministrie of the bounds where the delinquent served; that is, according to the meaning of that convention, the presbyterie where the delinquent served. Noe minister ought therfore to acknowledge their sentence of deposition or suspension, they proceiding otherways nor is prescrybed in the said act; and the presbyteries ought to fortifie the minister so deprived. But if there be *jus* of deprivation, the presbyterie may proceid by themselfs against the delinquent, if the bishope disdaine or neglect their assistance or concurrence, he being lawfullie premonished; for the act doth not so tye suspension and deposition of ministers to bishops, that the presbyterie may not suspend or deprive, in case he will not doe his part or duetie; namelie, seing there is not anie ordinar Generall Assemblie to compleane unto

[1] Without.

upon him for his refractarinesse; farre lesse may the bishope, without or against the will of the ministrie of the bounds or presbyterie where the delinquent serveth, suspend or depryve; and the presbyterie may withstand his suspension or deprivation, and fortifie the supposed delinquent in the discharge of his calling.

Howbeit it be ordained by the Act of Glasgow, that noe sentence of excommunication or absolution be pronounced against or in favours of anie persone, without the knowledge and approbation of the bishope of the diocie; yit it is provydit, that incace the bishope sall be found to have stayed the pronouncing of the sentence against anie persone that has merited the same, and against whom the processe has bein lawfullie deduced, the samine being tryed, and he convicted in the Generall Assemblie for the samine, advertisment sall be made to his Majestie, to the effect another may be placed in his rowme. If then the Generall Assemblie hold not ordinarilie and at sett tymes, as was supponed wold be at that convention, where presbyteries may compleane upon bishops staying the pronouncing of the sentence of excommunication or absolution, they may proceid to pronounce the said sentences as they find just caus. Nixt, the excommunication meant of in the act is *excommunicatio major;* presbyteries and sessions then may use *excommunicatio minor.*

Presbyteries may censure bishops in anie thing which concerneth the lyfe, conversation, office, or benefice, seing that convention intendit they sould be censured, and Generall Assembleis are not had to censure them. Presbeteries may choose their owne moderators when they are to treat about maters of discipline; for by the Act of Glasgow, onlie the exercise of doctrine is to be moderated by the bishop, if he be present, or by anie other whom he sall appoint at the synod.

Sessions of particular kirks may proceid after their wounted maner, ther being nothing ordeaned in the contrare at that convention or conventicle.

Bishops, by the Act of Glasgow, have noe power to enter in processe against anie offending minister or professor by themselves,

nor to enjoyne the presbytereis and synods to enter in processe. Their processe must beginne in sessions, presbyteries, and synods, and be ledd to the sentence, before they can have anie medling. Nather when sessions, presbyteries, or synods, have entered in processe, can they by that act advocat causes to themselfs, and such ministers as it sall please them to associate unto themselfs indifferentlie.

Bishops conveened together by themselfs, or with such ministers as they sall please to call, have noe power to make anie act or constitution, to impose taxations, &c.

By the word BISHOPS, in the Act of Glasgow, is not meaned Bishops by office, but by Bishops is meaned ministers, so called, in respect of the great benefice or bishoprick, chosen or to be chosen heerafter to vote in parliament in name of the kirk, circumscrybed with certaine caveats and acts of the Generall Assemblie. To these, that convention tyed ordination, deposition of ministers, excommunication, and absolution of offenders and penitents, moderation of synods, and conventions for exercise of doctrine; and that onlie upon certaine conditions and suppositions, and with certaine limitations, as was done before, in limitation of superintendents, bishops, and commissioners of provinces, *anno* 1576 and 1586. That some ministers, by divyne or apostolicke institution, ought to have power over other ministers and ther flockes, or to be proper pastor of all the congregation of that diocie, was not intendit, farre lesse declared by that Assemblie. Ther power, therfore, is onlie a power deryved from that convention holdin at Glasgow, and not immediatlie from Christ; a power needing no consecration, and which may be taikin away from them againe by a lawfull Assemblie, without violation of anie divyne ordinance, without deposition or degradation from the episcopall office, howbeit they justlie deserve deposition from their ministrie, and excommunication. They may not then claim whatsoever belonged to the bishops of old, ather by the erroneous interpretation and mistaking of God's Word or the canons of counsells; or els what needit such conditions and limitations be made at Glasgow? But

simplie to consent to their consecration, and exercing all the plenarie power which bishops in former tymes claimed upon erroneous grounds. And yit they command presbyteries and sessions, by their letters, to doe that which they have not power to command; for even things lawfull commanded by them ought not to be obeyed, for therby, ane usurping power sall be acknowledgit. But they dispense with proclamation of bannes, private mariage, place and displace professors in universities, strait intrants with oaths and subscriptions not enjoyned by law or acts of Assembleis, ordeane ministers in their chappells, yea, and sometymes out of their diocies, procure blank presentations to benefices from court, usurpe the collation of benefices, advocat causes from presbyteries to the High Commission, overrule synods, and, in a word, doe what they please. As they are guiltie of perfidious usurpation of a power which was not granted, so is the ministrie of the perfidious desertion of Christ's caus, yea, of concurrance and countenancing of them in exercing of their usurped power, to the hardening of them in their wickednesse, and pitifull decay of the glorie of God, and beautie of our church.

SOME MINISTERS CONDEMNE THE ASSEMBLIE PUBLICTLIE.

When the nobilitie and bishops returned from the Assemblie, Maister Patrik Simsone, in a solemne audience at Sterline in tyme of sermone, layde to their charge so cleerlie their perjurie and defection, that the bishops were in doubt whether to accuse him, or to comport with him; yit their patience prevailed. In lyke maner, coming to Edinburgh, Master Walter Balcanquall, one of the ministers, did the same. He was called before the counsell, where, *coram*, he convicted Bishop Law of perjurie and apostasie, so that he had not a word to answere; yit he escaped with a simple admonition. Master Patrik Galloway, in his first sermon made in Edinburgh after this Assemblie, glanced verie neir at the mater, but withall flattering the king, after his wounted maner. Upon these occasions, the bishops were moved to procure a terrible pro-

clamation, that noe man, ather minister or professor, speeke against the proceedings and conclusions of that Assemblie. The tenor of the proclamation heir followeth :—

A PROCLAMATION RATIFYING THE ASSEMBLIE.

"JAMES, by the grace of God, King of Great Britaine, France, and Ireland, Defender of the Faith ; to our lovits, &c., messingers, our sheriffs in that part, conjunctlie and severallie, speciallie constitute, greeting. Forasmuche as ther be none who are ignorant of the great harmonie and uniformitie of mindes amongst the nobilitie, the fathers of the church, and a number of the most learned and best affected of the ministrie, their late meeting, and Generall Assemblie of the church of this our kingdome, conveened in our citie of Glasco ; and since, with the generall applause of all them who were then mett together, there were diverse and sundrie most worthie ordinances and constitutions then established and concludit for the weill of the church, and preservation of good order, rule, peace, and tranquillitie within the same : And we, by our speciall letter directed to the Lords of our Privie Counsell, having expresslie willed and commandit them, upon the ending of the said Assemblie, for the more authorizing of the conclusions of the same, to command all our subjects of whatsomever sort, condition, or function, that they doe obtemper, obey, and not contradict, oppone, or impugne anie article, point, or head of these conclusions : And in regard that, by speciall act concludit in the said Assemblie, all ministers and preachers whatsoever are expresslie prohibited and forbidden, either in private or in publict, to speake against, or impugne anie of the conclusions made at that meeting, under the paine of deprivation : Therefore, the saids Lords of our Privie Counsell have ordeaned, and ordeane thir our letters to be direct, in maner and to the effect following, as our act made therupon beares.

"Our will is heirfore, and we charge you straitlie and command,

that incontinent thir our letters seene, ye passe to the Mercat Crosse of our burgh of Edinburgh, and all other places needfull; and there, by opin proclamation in our name and authoritie, that yee command, charge, and inhibite all our subjects whatsomever, and in speciall, all teaching and preaching ministers, and lecturing readers within this our kingdome, that none of them presume or tak upon hand, either in ther sermons publictlie, or in ther private conferences, to impugne, deprave, contradict, condemne, or utter their disallowance and dislyke in anie point or article of these most grave and wyse conclusions of that Assemblie, endit with such harmonie, as they will answer to the contrare, at their highest perell and charge. And that yee command all our sheriffs, stewarts, bailliffs, and their deputes, all provests and bailliffs of our burrowes, and all others our officers and magistrats whatsomever within our said kingdome, that if they doe heare or understand of anie breache of this present commandement, by anie preacher, minister, or lecturing reader, or other subject whatsomever, that they faile not presentlie to committ the trespasser in this kynde in some prisoun and waird, untill suche tyme as they, having advertised the saids Lords of our Privie Counsell of the same, they sall have their answere returned, what farther sall be done by them. And where anie magistrat sall be found and tryed to have beene unwilling, remisse, or slouthfull in the execution of this present direction, it is heirby declared, that their negligence and connivence at anie suche fault sall make them als culpable heirof as the principall offender, and they sall be accordinglie with all rigour and severitie punished. And, heerwith, that ye command all others our subjects of whatsomever qualitie, beiring noe office or charge of magistracie, and so wanting power to apprehend and committ the delinquent, that upon their hearing of anie one transgressing this present command and proclamation, that they doe certifie the nixt magistrat, or some one of our Privie Counsell, of the same; otherwayes, they sall be reputed, holden, and accounted guiltie of the same offence, and sall be punished as principall transgressers in this kynd. The which to doe, we committ to you,

conjunctlie and severallie, our full power, by thir our letters, delyvering them by you duelie executed, and indorsed againe to the beirer.

"Givin under our Signet, at Edinburgh, the 19th day of June, and of our reigne the eight, and fourtie-three yeeres, 1610.

"*Per actum Secreti Concilii, etc.*"

In the moneth of Julie, our Scottish gentlemen, who had gotten lands in Irland from the king, went over to see their lott, and manie went with them to take land of them.

PYRATS HANGED.

About the end of this moneth, threttie-six pyrats brought to Edinburgh, wherof twentie-sevin were hanged in Leith, within the sea-marke; others were keeped for farther tryall. These who were deteaned captives against their wills were sett at libertie.

MR ROBERT BOYD HIS LETTER TO MR ROBERT BRUCE.

Mr Robert Boyde of Trocherig, a professor in Somer, being in this countrie, and understanding what were the proceidings of that Assemblie at Glasgow, in a letter writtin to Mr Robert Bruce, the 2d of September, hath these words following:—

"But as for me, hearing tell of the daylie decaying estate of that once floorishing kirk of our land, what could I doe, but follow the Lord's gracious calling in that kingdome, [meaning France,] wherin he had made me to find so manie testimonies of his gracious providence toward my selfe, and of his blessing on my weak and unworthie labors? Howbeit I confesse, that for my owne part, and according to my naturall inclination, I wold wishe that I could have beene profitable to my owne countrie, and to the kirk of God within the same. And to that end have I now assayed by my last and late coming to Scotland, if it wold be his Majestie's will to give me a helper rather of my owne nation nor of another,

finding my selfe called by him unto that estate of lyfe, and moved thereto by manie weightie considerations, that in that behalfe, I sould have noe stay nor hinder of my returne to the countrie, if it wold please his mercifull goodnes to make yit againe the light of his countenance to shyne on his kirke heere, in that former friedome and force of his Spirit, bringing home the captivitie of his deere servaunts, loosing their bonds, setting them againe in their owne stations, and yit opening their mouths to the praise of his glorious grace, whose mouth he has heertofore opened with so great a blessing toward his children, and rootting out (if not renewing and reviving them by true and humble repentance) these rotten and stinking weeds, which his holie and pure hand never planted in his courts. But I have found that the Lord's will and disposition toward in that poynt has beene neither, and so I rest therin, being now readie to returne to my function both in kirk and schoole, as it sall please his goodnes to assist me, having spendit longer tyme in this countrie by two moneth nor I thought to have done at my coming."

In the moneth of September, Mr George Glaidstanes, Bishope of Saint Androes, held a diocesian in Anguse, where noe token of discontentment was shewed by the ministers.

THE DIOCESAN SYNOD OF FIFE.

Upon the nynth of October, Mr George Glaidstanes, Bishope of Saint Androes, held another diocesan synode in Fyfe, where [the parties] were convocated by the bishop's letters, and conveened by ministers. The confyned were absent, except Mr Johne Cowdane, who, upon a particular letter writtin to him by the bishope, compeered. The bishope taught upon the first fyfteene verses of 1 Cor. iii. He inveighed against such as were contentious for maters indifferent.

Efter doctrine, he desired the ministers to conveene in the yle in the kirk, wherof before, the Assembleis were wont to be holden in St Leonard's College. The seattes were covered with greene

cloths; and on the eist side was a table sett, covered with greene, and a greene velvet cushioun; theron a chaire, and a cushioun beside the same; and a stoole for the clerk. After prayer, Mr Johne Michelsone was chosen clerke. Therefter, he craved a privie conference. At last, Mr Johne Malcolme, minister at St Johnstoun, spake after this maner: "Seing we are heere convéened, to sie what sall be done to the glorie of God, and weale of his kirk, he wold know by what authoritie, and upon what grounds, the order of our kirk, established in so manie famous Generall Assembleis before, and ratified by the king's acts, was altered; for we cannot sie that order altered but with greefe of heart, seing we acknowledge it to be the onlie true forme of governement of Christ's kirk." The bishope, in a great anger, and with contempt, answered, that he wold not have thought that suche ane aged man wold have uttered such a foolishe tale. Could he be ignorant of the acts of the Assemblie of Glasco? He wold be moderator, according to that warrant; and he supposed that none was of his judgement but himself. Wherupon other brethrein beganne to speake to the same purpose, Mr William Areskine, Mr Johne Kinneir, &c. As the brethrein had occasion to speeke, they styled him diverslie, "My Lord," "My Lord Moderator," "Domine Moderator:" some spake of hand, without anie title. Mr William Areskine said, "Domine, our reverend brother and aged father has not spoken without a caus; for suppose we be come heer, thinking it his Majestie's will, yit we are not myndit by God's grace to doe anie thing against anie good order, or against our conscience; and, therefore, we wold first sie the warrand of your moderation, that if it be æquitable, we may proceede: otherways, if ye will tyrannicallie doe anie thing, it were better for us to be absent nor present." The bishope answered, "Who sould informe you of the acts of the Assemblie? I will not satisfie anie of your hearts that way: if ye will goe your way, upon your owne perill be it. If there were but thrie or foure to remaine, I sould doe my duetie and service to the king's Majestie." Mr Johne Kinneir said, "Thinke ye that this can be a meeting to God's glorie, or to doe anie good, when ye will sitt to doe as ye

please, and will not with patience heare the brethrein? Ye will find miscontentment in moe heere conveenned, if ye give us not some warrant." The bishope became more calme, and said, "It is a strange mater, brethrein, that ye are so troubled about such an indifferent mater. What mater who be moderator, if nothing be seene but to the contentment of you all? Tarie whill ye sie some thing done. I sall promise before God, that there sall be nothing done but with consent of the wholl, or most part of the Assemblie." Mr William Cowper said, "My Lord, it were weill done to goe to the mater, and let the brethrein recieve contentment."

The first thing that was proponed was to choose a privie conference. Some brethrein said it was not usuall in the assemblies of Fyfe before. Mr William Buchanan said it was ane ease to the assemblie, and ever a custom in Generall Assembleis. It was concludit by pluralitie of votes. The bishope nominated Mr William Cowper; the Assemblie nominated Mr Johne Malcolme. The bishope nominated Mr Johne Michelsone; the Assemblie nominated Mr Edmund Myles. The bishope nominated Mr Andrew Foster; the Assemblie nominated Mr David Spence: and so twelve or fourteen brethren were this way nominated. But when the privie conference was mett, the bishope sent for Mr Robert Howie, alledging that doctors sould be joyned with pastors, incase anie words were castin. The maner of the tryall of the brethren was thus: fyve or sixe brethren were removed, and it was asked what any man had to say, either in their lyfe or in their office? When he had asked ten or twelf in the catalogue, then he asked in generall if anie man wold speeke; therefter caused the beddall to cry at the kirk doore, "Is there anie man to object anie thing against the ministers of A. B. C., their lyf or ministrie, let them compeere and speeke," &c. Thus were the brethren perfunctoriouslie, and for the fashion, tryed. When the bishope wold have hasted to end the assemblie, a brother said that the tryell of the books of the presbyteries was forgott. Some answered, that all the books were not present. It was ordained that the books sould be brought as of befoze.

Therefter, the bishope wairned them, if anie man spake against

the acts of the Assemblie he sould be deposed, and further punished, according to his Majestie's pleasour. The acts were read; the brethren were greatlie moved. Mr Johne Cowdane, who had thitherto been silent, said, "We must either tyne a good conscience in holding backe the truethe, or indanger our ministrie if we speake. If it fall out that we must expone, '*Reges gentium dominantur*,' &c., as the ancient fathers and manie recent wryters have done, aganist the superioritie of bishops, what sall we doe in this case?" The bishope answered, "I told you, brethren, I came not here to resolve questions; but I will gett you fathers, and recent wryters also, maintaining the authoritie of bishops out of the same place. Reade Zanchius and Bucer, &c. Will anie man come to me and sie what I have for me, I will lett him sie warrants out of the word and fathers." Mr David Mearnes said, "Our kirk sounded all one trueth in this poynt, whill thir great livings came in. Ye pretend the word, and let us sie noe warrant. We know nothing ye seeke but gaine and preferment in this course." The bishope, in a great rage, said, "I beseeche Jesus Christ never let me sie his glorie, if I wold doe as I doe in this course for all the world, if I were not perswadit I had the warrant of the word. I say more: the Lord judge me if I have gone so farre in this course as I think the word of God, and the practise of the primitive kirk, gives me warrant."

Mr William Cowper said, "My Lord, heare me; and brethren, I beseeke you in Chryst remember thir things are not so essentiall poynts as to rent the bowells of the kirk for them. Are thir things such as to cast your ministrie in hazard for them? What joy can ye have for your suffering, when ye suffer for a mater indifferent; as who sall be moderator; who sall have imposition of hands? Wherfore serves it to fill the people's eares with contentious doctrine concerning the governement of the kirk? Were it not farre better to preache Chryst sincerelie, and to await on and sie what the Lord will worke in thir maters?" The bishope applaudit, and said, "Noe honest man wold be of another opinion." Mr David Spence said, "Noe honest man wold dissemble his judgment in

this mater; for a neutrall is not worthie to live in a commone wealth, let be in the kirk of God. Can we, that have seen the discipline of the kirk established by such worthie men of God, after long disputation, by the space of twentie-two yeeres, sworne and subscribed to the same, call it now a mater indifferent? For my owne part I stand still perswadit, till I see reasoun out of God's Word to the contrare." The bishope answered, "Live ye upon your owne opinion, and let everie man be answerable what he is doing. I tell you the danger, if you, or anie man, contraveene the act." Mr Johne Kinneir said, "There needeth no reasoning: we muss lay our compt to byde the extremitie if we breake these acts. And yit they are such, as we thinke in our conscience to be against equitie and reasone." "Noe wonder," said Mr David Spence; "if I had the valour of fourtie shillings to plea before a judge, will I make that man procurator for me which, I know perfytlie, will give my fourtie shillings to my partie? We know that these men, for the most part, that were nominated to that Assemblie, were of a contrarie judgement to us, and, therefore, would give them noe commission from our presbyterie." Finallie, Mr David Mearns said, "We can doe no lesse nor testifie our miscontentment in thir things, and protest before God that in our hearts we are not satisfyed, and, therfore, await whill the Lord grant a better tyme." The bishop said, "Doe so, and let us end. Now, where sall the nixt Assemblie be?" Mr William Couper stoode up and desyred it might be in Perth. Wherupon the bishop nominated St Androes and Perth to be upon the leits. By pluralitie of two or three votes it was concludit to be in St Androes.

I have heere subjoyned the bishop's missive to Mr Johne Row, minister at Carnocke, wairning him to come to the forsaid diocesian synods.

THE BISHOP'S MISSIVE TO MR JOHNE ROW.

"Grace be multiplied unto you.

"BELOVED BROTHER,—Forasmuch in the last Generall Assemblie the oversight of the diocesian synods was committed to the

bishops, and where the diocie is great, that they sould be holden in sundrie places, for the ease of the brethren, I have thought meit, for the commoditie of the brethren that reside on the south side of Tay, that their synod hold at St Androes, upon the nynth day of October nixtocum. Wherefore I requeist you most earnestlie to be present, the said day and place, that ye may concurre to such things as are competent to that judicatorie, for your interesse, and to abyde suche tryell as sall be thought fittest; and intimats to you withall, that the penaltie of your absence is suspension from the ministrie for the first, if ye wilfullie absent yourself. So, I committ you to the grace of God, and rests,

"Your assured brother in Chryst,

"ST ANDROES.

"From the kirk of Dunn, 11 September 1610."

THE BISHOP'S COOKE KILLED IN TYME OF SERMONE.

The Archbishop of St Androes reposing in his bed in tyme of the afternoone sermone, the Sabbóth after his diocesan synode in St Androes, was walkened, and all the kirk and toun with him, with a cry of bloode and murther. For his sister sone, maister of his houshold, with a throw of his dagger killed his cooke, whill as he was bussie in dressing the Lord Bishop's supper. The dagger light just undér the left pape of the cooke, who fell doun dead immediatlie.

The Bishop of St Androes held another diocesan synod in Hadintoun. He directed his missive to the Presbyterie of Hadintoun as followes:—

THE BISHOP'S MISSIVE TO THE PRESBYTERIE OF HADINTOUN.

"Grace be multiplied upon you.

"BELOVED BRETHREN,—Wheras the convocation of the diocesan synods is committed to the care of archbishops and bishops within ther owne diocie, and where the diocies are great, to divide

them, for the commoditie of the brethren; so, as I have to my paines applyed myself to the ease of the rest, I thought meete to convocat my brethren of the ministrie of the diocie of St Androes be-south Forth, to conveene at Hadintoun, and beginne that assemblie the first day of November nixt to come. And therefore am to require so manie of your number as are of that diocie to be present there that day tymouslie, accompanied with two or three commissioners from everie paroche; assuring you that I can doe no lesse of duetie than to adjudge the wilfull absents to the penaltie appointed by the last Generall Assemblie, which, at the least, is suspension from the ministrie. Thus, the grace of God be with you. St Androes, the 3 of October 1610.

"Your loving brother in the Lord,

"ST ANDROES."

THE PRESBYTERIE OF HADINTOUN RESOLVE TO PROTEST.

The Presbyterie of Hadintoun, after the sight of this missive, resolved upon three things: 1. That they sould penne a gentle protestation in the fairest termes, backed with the best reasons they could. 2. That the moderator present the same, *primo quoque tempore*, subscribed by him and the clerk in their names. And if it sould not be receaved out of his hand, that then he sould utter the substance of it by word; and everie one of them, as God sould offer occasion, promised to beare hand to him and urge the same. Last, Albeit all were not resolved to suffer, yit all granted it was expedient to suffer; and, therfore, thought meete humblie to refuse his judicatorie. The tenor of the protestation follows, as it is registred in their presbyterie books:—

THEIR PROTESTATION.

"Forasmuche as we have had als weill civill as ecclesiasticall lawes, prescribing and authorizing the externall governement and discipline of the kirk, agreeable to the Word of God, and have

practised the same so manie yeers; wherunto we have sworne and subscrybed at the king's Majestie's command, and of the Generall Assemblie of the kirk, als weill in the Confession of Faith as Booke of Policie of the Kirk: As lykways, at his Majestie's command, and of the Generall Assemblie, have craved and obteaned of all earls, lords, barons, and the rest of his Majestie's subjects within our congregations, by their oaths and subscriptions, allowance, approbation, and practise therof: And wheras of late, some distractions and diversitie of opinions have entered amongst the brethren; for removing wherof, at the Assemblie holdin at Linlithgow, were nominated twentie persons, to have mett, reasoned, and conferred, and to have reported their judgements; which report is not as yit made, as was requyred to be done, for satisfying of the consciences of the brethren: Therefore we desyre, in the name of God and of his Sone Jesus Christ, that the said ordinare meane may be used for our resolution in the said controversie; and that the said discipline prescribed, confirmed, and practised, with good reasone, out of God's Word, may be reteaned, ay and whill a better be shewed out of God's Word; so that we and our flocks may be preserved from the infamous notes of inconstancie and perjurie. And in the meane tyme, we requeist that we be not preassed and urged to the accepting and practising of anie other discipline and governement of the kirk."

THE DIOCESAN SYNOD OF LOTHIAN.

The day following the diocesan synod conveened. The bishope taught on Jude, Epist. 11, 12. After sermone he came doun to the table. The first thing he propoundit was to have a clerk, refering it to the option of the brethren whether they wold have a formall man, meaning a laick clerk, or a minister. Some cryed out, that a minister was most seemelie for suche a meeting. Mr Charles Lumisdane, Mr William Powrie, and Johne Lauder, were nominated upon the leits. Mr James Carmichael, moderator of the Presbyterie of Hadintoun, was silent all the tyme, albeit his

brethren gave him manie signes to utter his commission. In end, after the bishop had asked the notes of ten or twelve, he asked Mr Johne Ker, minister at Saltprestoun, "Brother, whom think ye meetest to be clerke?" He answered, "Sir, there is another mater which must goe before the choosing of a clerke." He demandit what it was? The other answered, that their presbyterie had givin commission to Mr James Carmichael, their moderator, to present some few lynes in their name, which he hoped the Assemblie would find to be reasonable. The bishope replyed, there could nothing be receaved, neither by word nor writt, conveni-entlie, without a clerk. But when the clerk was chosin, he promised what they had to say, either by word or writt, sould be heard: "Therefore I pray you," said he, "give your vote to one of the three." The other answered, "I will not stand to give my vote, under protestation, that it sall not be prejudiciall to that which sall be said or done by me or any brethren afterward." The bishope answered, "It sall not prejudge you;" and so he voted for Mr Charles, and by pluralitie of votes Mr Charles was chosin clerk.

Therefter Mr Johne rose to have urged his purpose. The bishope espying him, called upon Mr James Carmichael. Mr James, by a long and unprofitable harangue, hindered the reading of their protestation, which, albeit it was smoothe, yit it was more sharpe and pertinent nor his speeche. Nixt, he proponed two articles of his owne head without a commission; viz., That my Lord Bishop, and others having credite, sould interceede with his Majestie to gett strait caveats to restraine the ample authoritie of bishops. Nixt, that suche a course sould be used as the distraction of affections might be avoydit. He came at last to the writtin commission of the presbyterie; but he uttered the same weill sparinglie, omitting the last clause. At everie occasion, he called the bishope, "My Lord." The bishope said, "Seing he hath spoken so largelie his mynd by tongue, he needeth not to read his paper;" and beganne to answeir him. Mr Andro Makghie helped Mr James, and answered to the bishop's reply. To whom Mr Archibald Oswald preassed to succeede; and becaus by his preface that

he meant, both in his owne name and in the name of the presbyterie, to renounce his judicatorie, he ryseth in a furie, and sayeth, "What is this that I am doing? I am not come heir to reasone and contend with words but to execute lawes; and therefore I will not heir you nor noe man speeke more in publict;" and commandit him silence. Mr Archibald answered, "If ye will not heir me, but command me silence, I sall obey, and be alwayes silent." The bishope said, "I meane not to hinder you to speeke in the right tyme and place. Ye sall be heard in the conference, with your bills and protestations; and if they be reasonable, they sall have a reasonable answeir." He commandit all men to be silent whill their names were called on, and so choosed the conference. The thrie brethren forsaid thought that others sould have assisted them; but they found noe assistance as was promised them, both by their owne brethren and the Presbyterie of Dalkeith. He nominated ten for their conference, for he said often, "Ten or twelfe are sufficient;" wherin he aimed at the forme of a chapter. There were none chosen on the conference weill myndit except Mr Johne Wemes. And so endit the first session. When the bishope is going home, at the verie entrie of the kirk doore, he had almost broken his legge; for a great stone, almost sixe quarters everie way, steeped downe with him alone, and fell doun in a troughe, which was marvellous, howbeit two or thrie hundreth had went out before him.

After noone, their requeist was handled in the privie conference, and the three brethrein were accompanied with the rest of the brethren of their presbyterie, and Mr Johne Adamsone. The bishope gave them verie fair words; prayed them to be peaceable; granted that which they craved was commendable, becaus it proceedit from good affection. But said he, "As for me, I darre not, nor I will not, exeeme you from obedience; but will be content to communicate my light with you, wherof I am weill assured." Mr Johne Ker answered, they were als willing to communicat their light to him, wherof they were als weill assured as he was of his; and therefore againe desired, that at the least he wold not burthein

their presbyterie with that yoke of obedience to his governement. The bishope answeired, he neither wold nor could. Mr Archibald Oswald said, he wold not refuse to obey anie law of the kirk, so farre as his weake bodie and tender conscience wold permitt him: "But as for this mater, I will be plaine," said he; "I am resolved not to obey, becaus my conscience hindereth me." Mr Johne Ker addit, "And I hope we be all of this mynde." The bishope answered, "Obey or not obey upon your owne perill, for ye know it." None of the brethren of the presbyterie of Hadingtoun were called in that night in anie purpose except Mr James Carmichaell, who did sitt, vote, reasone. The day following, the bishope was informed that the brethren of the presbyterie forsaid wold refuse his censure; therfore he was loathe to medle with them whill he was forced in a mater concerning the plantation of Northberuick; but they keiped themselfs fair. When Mr Johne Ker was demandit, he answeired, that he neither could nor wold vote in that place. The bishope past to another. Daniel Wallace said lykways, he could not acknowledge that place. Others of their number answered the like, but not so distinctlie. James Reid removed himself, and came in to his tryell at the bishop's command. The rest of the presbyterie went out before they were called on. The constant moderators were all almost continued. It was ordeaned, that a Byble sould be bought to everie paroche from Andro Hart. Mr Thomas Bannatyne was appointed minister of Northberuick by pluralitie of eight votes, fourteene or moe votes of laicks of the number of the voters for him. Mr Archibald Simsone shew a letter to some brethren, written by his brother, Mr Patrik, advysing Mr Archibald to tolerat and present himself to the synode. Sindrie were content to take hold of this advyse, and coloured their obedience with it.

THE NATURE AND QUALITIE OF DIOCESANE SYNODS DESCRYBED ABOUT THE SAME TYME, BY MR DAVID CALDERWOODE.

First, We will consider the diocesan assembleis as Episcopall

visitations; Nixt, as Counsells; for they must be considered one of these two ways.

As for the First consideration, diocesan synods are not Councells properlie so called, but onlie episcopall visitations; for that is a Councell properlie so called, where the persons assembled have everie one a part of the joynt power of jurisdiction belonging to that Councell; as everie senator has in the senate *suffragium* not onlie *consultivum*, but also *decisivum*. But in the diocesan synods, the bishops onlie have the power of jurisdiction. Therefore, Bellarmine, *de Conciliis, Lib.* i. *cap.* 4, sayeth, "*Diœcesana concilia sunt, in quibus conveniunt presbyteri unius Episcopatus, et iis episcopus præest. Cujus generis paucissima extant, nec immerito; nam vix dici possunt concilia, cum in iis ordinarie, nullus sit qui jurisdictionem habeat, præter unum episcopum, qui præest.*"

That they are Episcopall visitations, is evident by thir testimonies following: *Summa Sylvestrina*, in the worde, *visitatio*, maketh two kynde of Episcopall visitations, *plena*, et *non plena*. The full episcopall visitation is, when the bishope visits all the particular kirks of his diocie, for the which visitation, he tooke up a duetie in everie paroche kirk, called *procuratio*, for his expences in his travells. "*Plena autem visitatio non dicitur*, (sayeth he,) *si convocetur Synodus.*" Lancelot, in his Institutions, defynes diocesan synods after this maner: "*Episcopalia concilia sunt, quæ episcopus in sua Dœcesi, singulis annis convocat, dum inter suos abbates, presbyteros, aut clericos, cognoscit.*" Gratian lykewise to the same purpose, Decret., Distinct. 18, sayeth, "*Annis singulis, episcopus in sua Dœcesi synodum faciat de suis clericis, nec non abbatibus; et discutiat alteros clericos, et monachos.*" And againe, Distinct. 38, cap. "*Quando*, &c. *Cum vero ad letainas, vel ad concilium venerint, rationem episcopo suo reddant, qualiter susceptum officium celebrent, vel baptizent.*" Doiberfeild, in his Fyft Booke of the Churche, cap. 14, descrybeth amplie out of Jovertus, the forme and maner of holding diocesan synods; and in that description, the bishope is made judge of the doubts and complaints of the clergie and laitie.

Manie moe places might be alledgit; but these are sufficient to

lett us sie, that diocesan synods are not properlie to be called Councells, but onlie Episcopall visitations, where the bishope cognosceth, tryeth, discusseth. As for the rest that are present, they are there, either to be tryed themselves, or to give information against others who are to be tryed in their course, or to give their advyse in anie other mater that sall be proponed, in case they be requyred. As fellow judges, participant with the bishope in power, they sitt not. In the act of Glasco, in the article of visitation, it is thus ordeaned, That the visitation of everie diocie be done by the bishope himself; and if the bounds be greatter than he can overtake, that then he sall make speciall choise of some worthie man of the ministrie within the diocie to visite in his place; and whatsoever minister, without just caus and lawfull excuse made, sall absent himself from the visitation of the diocesan assemblie, he sall be suspendit from his office and benefice; and if he sall not amend, he sall be depryved. That which is sett doun heer *syntactice*, from the visitation of the diocesan assemblie, in the act of parliament is sett doun *exegitur*, from the visitation or diocesan assemblie; exponing the one by the other; comprehending both in one clause; confirming the authoritie of both with one sanction of punishment, suspension, or deprivation. But the syntaxe is cleere, to let us see, that diocesan synods are nothing but episcopall visitations. And in the same article, there is power granted to divide the bounds of the diocie, for the commoditie of visitation, as in one article before, for the diocesane assemblie. *Item*, To substitute a vicegerent. And who is this but the archdeacon? who, in the canon law, is called *oculus episcopi*, becaus he doth visite in the bishop's roome. For if he has power to substitute anie in generall, he may substitute the archdeacone in speciall.

Looke also to their practise. The catalogue of the names is read at the first meeting, to note absents, but not at anie tyme therafter, when anie mater sould be voted. If at anie tyme votes be asked and numbered, and, according to pluralitie of votes, anie thing concludit, that is, done onlie through permission and tolerance of the bishope, untill he be settled in possession; for he accounteth

not their votes *suffragia decisiva*, but onlie advises or informations, which he may number or ponder as he pleases; and, therefore, suffereth nothing to come in voting but what he lyketh. If a mater be but motioned onlie that is not to his contentment, he will presentlie threatten, as some of them have done, in thir words: "I will not have this or that done; I will anger you," etc. Have not some of them also, being absent, substituted in their roome that minister who possesseth the roome of old, the archdeacone? Doe they not summon ministers to compeir at their synods in their own name, and not in the name of the synode? Doe they not choose their owne clerks? Doe they not threatten in their summones and missives with censures in their owne name? James, Archbishope of Glasco, in a missive sent to the * * * 20th of September 1609, this writteth: "All excuse sett asyde, that I may take order with you as effeirs, for tymes bygone and to come: Certifying you by thir presents, that if you do not present yourself there, and at that tyme, and when the rest of your brethren, God willing, sall be assembled, I sall suspend you from your ministrie, and sall take such other order with you as your contempt and disobedience hath deserved." The synod has not power to suspend the absent, but the bishope onlie. *I* will take order; *I* will suspend, letts us see the usurpation of a sole visiter, and not the simple power of a moderator. This and other their lyke practises compare it with that which is written in the Decretalls, Lib. i. cit. 33, *de majoritate et obedientia*, cap. "*Quod super his, Abbates et sacerdotes, diœcesana tibi lege subditos, qui ad tuum synodum venire contemnant, dummodo, in ipsa synodo non duras aliquid statuendum, quod canones obviet, institutis per censuram ecclesiasticum, ad synodum illam venire compellas; et debitam tibi obedientiam et reverentiam exhibere.*"

May ye not see by this comparison the antichristian bishop sitting, as a sole visitour, in the diocesan synods; visiting by vertue of his episcopall office, and as a bishop, and not vertue of anie office of visitation annexed to his episcopall office? And, therefore, his office of visitation is constant and perpetuall in his persone. There-

fore may he substitute a vicegerent without consent of the synode. Therfore calls he the synode *his* synode, when he summones, in his letters, to "compeir before us and our synode;" just according to the decretall above written, *Qui ad* TUUM *synodum venire contemnant.* It followeth then of the premises that the bishope, moderator of the diocesan assemblie, is nothing els but a visiter of the ministers of his owne diocie conveened to the diocesan assemblie; and that whosoever repaireth to the diocesan assemblies, repaireth not as he wount to our former synods which we had in tyme of libertie, but as a presbyter, to be visited by the visitor, his owne bishop, in a superficiall, conjunct, and commone visitation of manie. Whether ye submitt yourself to his visitation alone, or with others, all is one; for both the wayes ye acknowledge episcopall governement, which ye wold make men believe ye did not when ye repaire to diocesan synods. But the premisses declare the contrare; and, therfore, remember your oaths and subscriptions against it.

As for the other consideration, putt the case the diocesan assemblies be not episcopall visitations; yit are they not truelie and verilie of the nature and freedome of our former synods, or of the kynde of councells, as of œcumenicall, nationall, and provinciall, that were in the ancient kirk, where maters were concludit by the affirmative or negative voices of the greatest part. There was noe one man had a negative voice to dashe the affirmative of all the rest, or of the greater part; like a Romane Tribune to say "*veto*," and to stoppe the making of anie ordinance, when the major part had consented to anie thing. A certane number of men are said to be absolutelie judges, when they may determine and resolve, and the power of judging rest whollie in them, and none hath power to contradict their resolution. But the diocesan assemblie has not power to conclude anie thing without the bishop's consent, whether in making ordinances or pronouncing sentences. And if we consider diocesan synods as episcopall visitations, he has not onlie a negative power to stoppe the proceedings of the assemblie, but also ane affirmative without the assemblie. He appoints, he sententiats, he censures, by himself as visitour.

But I hold me now upon the secund consideration, onlie giving and not granting diocesan assemblies to be councells properlie so called. I come yit farther, and putt the case the bishope had no negative voice; yit differ they from our former synods in freedome. For, first, the consociation of presbyteries was without distinction of diocies. Presbyteries were consociated promiscue, out of diverse diocies. And, therefore, if bishops had beene moderators of the synods, as they stoode before, manie might have reasouned and voted freelie. This new consociation of presbyteries in the synode, is distinguished by the limits and marches of the diocie; and, consequentlie, there is none in the synode but his owne diocesan ministers, whom he may hurt and benefite when he pleases. For suppose he were a moderator onlie in the synode, yit by a divide consideration, he is their bishop, without the synode. Now, als long as there is onlie mentall separation of episcopall office from the moderatorship, and not a reall separation in the subject itself, in whose persone both the offices concurre, will anie man thinke there can be freedome of voting? But in verie deid, there is not so much as a mentall separation. For, howbeit, in the understanding a man may be considered to be a moderator and not a bishope, for so sometymes it has beene, that synods had moderators that were not bishops; but to consider in the understanding a man to be a bishop in a diocie, and not to be moderator when they are conveened in the synod, is to deny a bishop to be a bishop, as a bishop is defyned, defendit, and obtrudit now a dayes; is a negative mentall separation, a fals understanding.

2. The perpetuitie of moderatorship in the persone of anie man, let be in the persone of a bishope, is prejudiciall to the libertie of the synode. And, therfore, justlie did the old synods, not manie yeers since, oppone to the setting up of bishops, as constant moderators in their synods, notwithstanding they were threatned with letters of horning. What reason they had then, they have yit still; for noe lawfull assemblie has concludit anie suche thing, except these men who pretend conscience, make no conscience to allow of the Assemblie of Glasco. Yea, there is farre more reason to

oppono now nor before; because the synods are altered, other consociations made, the bishop made moderator of his owne diocesan ministers, by vertue of his episcopall office; the which condition held not, when the bishops were urged to be moderators of the synods gathered promiscue out of diverse diocies, and when they had no power of the church censures, as they claime now, by vertue of that act of Glasco.

3. If the bishope were but a simple moderator, he moderator, he might not substitute another in his place, when he is absent, without consent of the synode. But the bishope claimes this power.

4. A moderator from whom noe appellation will be of force, and who is not countable for his office, is prejudiciall to the libertie of a synode. In the diocesan assembleis of the ancient kirk, if anie difference grew betuixt the bishope and his clergie, or if anie found themselves greeved with their proceidings, they had recourse unto the provinciall counsells, where the archbishope, the inferior comprovincialls, and presbyters sitt. Thir are worne out of use, as Gerson in his tyme did complaine, Epist. pacis, part 2, in this maner, "*Ubi sunt synodi provinciales secundum patrum constitutiones, semel vel bis in anno celebrandæ.*" To thir, thir are not comtable, neither are they made comtable to the nationall assemblie, as we may sie in the act of Glasco, ratified in parliament; neither is there anie fixed nationall assemblie; a Generall Assemblie, depending upon the uncertane will of the prince, cannot be counted anie ordinarie remeede for wrongs receaved in the diocesan assemblies. Nather yit is he countable to his owne diocesan assemblie, as reasone requyrs of a simple moderator, who has onlie a presidentship of honour. As in the court of parliament of Parise, the judgement of all controversies perteaneth to the court it self, and the court commandeth, judgeth, and punisheth the president, als weill as anie other, if there be caus so to doe. Seing they are neither countable to their owne synods where they sit, nor to provinciall and nationall assembleis above them, they are absolute and supreme governours, and cannot but be prejudiciall to the libertie

of the synode. In a word, a moderator intruded under the pretendit authoritie of a null assemblie, a moderator having power to intrude a vicegerent, a moderator not subject to change, a moderator not subject to tryall, a moderator not boundit with caveats and limits, a moderator from whom no appellation will be of force, a moderator choosing his owne clerke, a moderator sending out summones in his owne name, a bishope moderator of his owne diocesin ministers, is not a simple moderator, but a dominator, a lord ruling in the kirk. I regarde not whether they demeane themselves modestlie for the present or not, seing they and their successors have power to tyrannize, and the synods feele alreadie their overruling power, the which is regrated by manie who condemne episcopall governement, and yit repaire to their diocesan assembleis.

But what needs manie reasons to convince them, seing their owne consciences doe condemne them? for manie of them have testified, that if they might doe other wayes, they would not repair thither. And this much for the second consideration. In the first consideration, we acknowledge a bishope as a holie visitor *cum singulari potestate*. In the secund, we acknowledge a bishope moderating, or rather overruling, with a negative power and uncontrollable. And so, everie way we acknowledge episcopall governement, when we repair to diocesan assembleis. But the trueth is, we acknowledge him in the first sort; for, as I have said, diocesan synods are not councels properlie so called, but episcopall visitations.

It is objected, that by the reasons forsaid, we cannot lawfullie repaire to the presbyteries. I answer, the bishop's depute-moderator in the presbyterie has noe further power by vertue of the act, than to moderate the censure of doctrine, and appoint a new exercise; for the presbyterie it self has noe farther power, by vertue of that act of Glasco, the which is not greatlie materiall, nor anie wayes hurtfull. It is true, after the doctrines censured, the presbyterie is suffered to pleade in maters of discipline; but not to end or conclude. And, therefore, what power can this

depute-moderator himself have? It is a point of negligence, or rather fearfulnes, that the presbyterie will not end their processe, nor choose a moderator. But if ye be for urging the full exercise of the power of order and jurisdiction, as if there were noe usurping bishope, and withholding of your owne consent from acceptance of this deputed moderator, ye may still repaire; for this deputie has not a negative voice; he is one of the number of the presbyterie, and not anie incroaching stranger. He is not armed with so manie powers as may make him so terrible to the presbyterie as the bishope is to the synode, and so to take away the libertie of speeking and voting. He is not your visitor, to whose tryall ye neid to submitt your self, as ye doe to the bishope, in the visitation of the diocesan assemblie.

Nixt, the presbyterie is ane ordinarie divyne ordinance, as our opposits themselfs confesse, who will have no other presbyterie to be meant in the apostolicke tymes and the primitive kirk, but companies of preaching presbyters.

3. Councells and assemblies are *Conventus extraordinarii*, sayes Tilenus, Syntag. part 2, dissert. 3.

4. In the presbyterie I have the same station which I had before in the tyme of libertie. If the rest of my consociation receive in anie corruption without my consent, I am not guiltie. The old station I had in the former synods is taken away, becaus that consociation is broken. If I take not to this new consociation, which makes up the diocesan assemblie, I take me to a new station; and so I goe to give obedience. If it be alledgit that the rest of my fellowes in the old synodalls have ranked themselves in this new consociation, I answer, they concludit noe such thing with commone consent, neither am I bound to follow them in anie thing they doe severallie, and for feare, but conjunctlie, and efter frie deliberation. Neither had they power conjunctlie to conclude the dismembering of themselfs, and resorting to diverse consociations of diverse diocesan assemblies, for that belonged to a lawfull Generall Assemblie. As for the presbyteries wherin the bishope himself moderats, they are of a different nature from your presbyteries,

howbeit they be not there as a visitor, as he may be when he pleases; yit he ever there as a moderator, overruling as he does in the synode, becaus of his power, which his depute may not doe. And, therefore, he ought to be *simpliciter* refused, or els we ought not to resort.

5. The lesser corruption in the presbyterie sould not be anie argument for a greatter in the synode, but rather both are to be eschewed, if anie man think he cannot repair to the one, unlesse he also repaire to the other.

It is objected nixt, that their resorting to the diocesan assemblies is onlie toleration. But I demand, what effect worketh their toleration, to the hinderance of the episcopall course? Doe they not in all their actions advance, sett forward, confirme, settle in possession? The bishope, als weill as the greatest favorers of bishops, their actions worketh the like effect. Nixt, they are bound by their oathe to defend the former discipline: to tolerate is not to defend. 3. To tolerate is onlie to permitt others to doe or use that which they think unlawfull to doe themselfs. To submitt your self to the bishope's censure and tyrannie, for refusing the visitation, is to suffer. But to suffer your self to be tryed by him, is not to suffer, but willinglie and activelie to submitt, and give place to unlawfull authoritie in the kirk. 4. If ye doe onlie tolerate, how can ye concurre with the bishope, to give out sentence against others that come not; for ye ought to have a greatter warrant, nor your owne naked toleration of present corruption, to give out sentence against your brethren, who cannot in their conscience concurre with you in that pretendit toleration? For they are perswadit, and so it is, that it is a plaine approbatioun in outward action, with a conscience inwardlie repyning.

Ye will say, may we not protest when we compeir, and then sitt doun? I answeir, that when the judicatorie is presupposed to be lawfull, and rightlie constituted, protestation may be used against anie unlawfull proceiding, or wicked device; and he that protests may adhere to his protestation, *toties quoties* the samme occasion recurres; and [he] continues still, notwithstanding, a member of

the same judicatorie. But when a protestation is made against the verie forme and constitution of the diocesan assemblie it self, to sitt doun efter protestation, as anie ordinarie member there, is to doe a deid contrare to the protestation, and to become a member of that politick bodie which, in your owne judgement, is monstrous and misshaippen.

Some alledges that it is expedient to be there, to oppone to corruptions. The parenthesis of the decretalls above cited, "Dummodo in ipsa synodo, non ducas aliquid statuendum, quod canonicis obviet institutis," alloweth them that much. But our corruption it self; the nature, forme, and constitution of the diocesan assemblie, will they digest the mother corruption, and slay the broode? will they cutt the branches, and keip the roote? It is knowne what faint and feetles stroks they give; and their oppositions will ever be the more and more faint, the more they strengthen the mother corruption by their concurrance. And what though you continue stout for your self, for your owne tyme; will the rest doe soe? Will the successors doe so? Doe ye not feele alreadie the contrare, both in your self and others? Why then give place to corruption that will be the baine of our kirk, and that under colour of your owne alledgit stoutnes?

It may be demandit, Is there then nothing to be done? I answeir, we may lawfullie compeir, and protest for the conditions of a frie synodall assemblie. If the protestation be admitted, sitt doun; if not, depart, and suffer violence.

MR DAVID HUME HIS ELLEVENTH LETTER TO MR JAMES LAW, BISHOPE OF GLASCO.

"I have sent you this also, anent the 'superior's command.'

"After my verie hartilie accustomed commendations: I must call it to your good remembrance, how my boy received from you the treatise of indifferencie indeid, but not the other litle treatise of superior's command; whether yee had it not then readie, or because ye wold better peruse it, which now I will pray you

delyver to this bearer, together with your even sharpest censure therof; as that question is most needfull, and of great importance, and wherin I would be lothe to erre, as errour in it caries manie inconveniences on either part. For me, I wold not that anie man had greatter reverence, or unfained regard towards all sort of superioritie, even the lowest, and from it to the most supreme, by whatever degrees, everie one in ther owne proportion to the supremest, whose image is in all, and head over all unviolated, by a due or not due respecting. Anent which, I endeavore to give you there a full view, as in suche bounds I could, of my judgement, to be in sadnesse corrected or confirmed by you, as I hope ye will; and pray you againe and againe not to disappoint. I will looke also for your answere anent the rest, and that ye will thinke the mater worthie that ye sould take leasure to; anent, 1. The alteration of essentiall points of our discipline; and, 2. The comparing of paritie with imparitie, in the fyve or six poynts we were on. Anent the first point wherof, (alteration I meane,) I have upon your admonition reveilled your letter, and found that there is indeid other heads of your answer in it, which I had not minde of, yit suche as in order, for order's sake, and eshewing of confusion, wold follow the decision of that, rather nor to be mingled with it; and, therefore, would seeme best, I sould abide your answer anent that; not the lesse to deale with you, as I doe ever, without anie kinde of ceremonie. Anent the same your answers, shortlie my opinion is this: First, where ye think that the governement of the kirk, the tyme of the oath, was in the hands of the bishops and superintendents, that question will be *de facto*, and we sall try it in the owne tyme; yit, I trow, ye sall find yourself to have mistaikin it. And as for bishops, not at all at that tyme, noe nor superintendents neither, who at noe tyme, (at least, that I may eshew unnecessarie contention,) not of long tyme were governors but governed, and but commissioners in effect, with borrowed authoritie, answerable for what they did, and subject to censures; which, how farre it was from the acclaimed, avouched, and I thinke strangelie practised Hierarchie; strangelie, I say, by anie tyme that

ever I heard of, and by anie kirk that of old we reade of, even the Popishe kirk itself, where bishops were, if not admittable or tryable, yitt controllable somtymes by their chapter, or some number of their clergie, not eschewing the verie use of that word Hierarchie, now usurped there in that Confession, detested by expresse name. I will beseeke you diligentlie to consider it, and that together, if the eschewing heirof, which I heare some use, be not indeid a subterfuge, rather nor a right resolution; to witt, that the Hierarchie there meaned of is the Papisticall hierarchie onlie, and not all hierarchie, seing there is neither anie other hierarchie in substance; for a Protestant hierarchie, is it not all one with a Papistick hierarchie, in that it is a hierarchie, though the hierarchie differ in points of religion, Papistick or Protestant? neither can ther be other. And where the words of the Confession are 'his,' (meaning the Pope's hierarchie,) with the declaration *wicked*, if the word *his*, or the word *wicked*, be put there, διαχριτικως, discretive, as we speake, to distinguish the Pope's hierarchie from other hierarchies, as though we detested the Pope's hierarchie, but allowed of some Protestant hierarchie, or detested a wicked hierarchie, but not a godlie hierarchie, I beseeke you, lett the rest of the things there sett doun in the same sort be considered, and see if they be so sett doun, and if that word *his* be not in them all rather used as ane epithet adjoyned to *detest*, and not put for limitation, to restrict or distinguish. As where it sayes, 'We detest and abhorre his devilishe messe,' is that to limitat or distinguishe from another messe that is not his, or is not devilishe? Where it sayes, 'his bastard sacraments,' admitt we other fyve sacraments that are not bastard? 'His canonization of men;' admitt we other canonization? 'His calling on angells, relicts, crosses, &c.,' as though we abhorred these of his, but acknowledge some other worship? But this rather, We simplie detest them all as unlawfull; and withall, confesse them to be his, that is, invented, at least avowed, avouched, thrust in, and holdin in by him or his, for maintaining his private authoritie or tyrannie, contrare or beside the Word. Neither can it be other, in that, nor in the rest of the tenor of that Con-

fession; so that as in the rest, the meaning is, We detest the messe, for it is his, and not Christ's; the incalling of angells, for it is his, and not Christ's; his relicts, crosses, &c., so we detest his hierarchie, for it is his, and not Christ's. For which interpretation, I appeale also to yourself, if there was anie other judgement, estimation, or understanding of the maters then in the Kirk of Scotland; or anie question, publict or private, surmizing therof; which seing it was not, and that, therefore, that must be the interpretation therof, and seing it dipps also by name against hierarchie, I sie not how hierarchie is not contrare to that oathe; and, therfore, how can it be brought in that oathe safe? Yea, not though now the kirk wold alter it; for I see not how they may alter it. For is that rule (now so frequent in men's mouths) true, 'They that bound you, will loose you?' Is that lawfull? Then might a man breake all his vowes and oathes, to witt, loose himself, becaus himself bound him. He onlie, we must grant, has power to loose from oathes, to whom they were made, and by whom, and who is a verie sharpe exacter of them. That not the Pope, whom for his usurping in that among other things, we detest; not the kirk has power to loose a single man, nor himself from anie oathe once made.

"Secondlie, Anent that other interpretation, that the oath is in generall words, to witt, 'The discipline of the Kirk of Scotland,' without determination of anie present discipline whereby the meaning is said to be, 'Whatever discipline sall happen to be in the Kirk of Scotland therafter.' This interpretation seems verie haistie, and looses the bridle to what not? For then, are we not sworne also to that religion that happeneth to be in the Kirk of Scotland, if Papistrie be brought in heerafter as bishops are now? But was there ever such a confession, promise, or oathe, in the world, in anie countrie, at anie tyme, to follow the religion and discipline that sould happin to be for the tyme? And is not the intention of that confession to declare their present allowing and beleiving; and was not the meaning of all men in this cleere, to

testifie what they professed, and to bind them both to doctrine and discipline, as they were then and at that tyme present? And what is this new interpretation? Is [it] not ane equivocation, and flatlie that which we reprove in Jesuits? That indeid anent that subscription of yours in Tranent, (craved for no other caus but to make sure anent discipline,) and these caveats injoynned, accepted, and sworne to, before and sensyne, and (if that be true which is said) was promised to by bishops at Linlithgow, ordeaned to be enacted, and urged by Mr Johne Hall against them at Glasco, but eludit, by craving him to produce it; and he not having the act extracted, and the bookes and copie therof refused him. I can never consider, but they have either beene fraudfullie or equivocallie (which is all one) conceaved, or are now fraudfullie and equivocallie rejected and eludit, which sould not be.

"And this I protest, I wryte not to quarrell, but to see how it can be sufficientlie cleered. For as touching the consent of the kirk, which may be pretendit, as I have said, has it not bound itself as it cannot loose? And putt the case it could, how is it made cleere it wold? For sall we count that which men call so at Linlithgow and Glasco, I pray you, the will of the kirk? How, I pray you, of the kirk? By their commissioners? Are they not propped out men of the bishops' owne wailing[1] to that effect? With what commission? not to vote in these things, or to vote in the contrare. So, not voting, or voting without power; so not the kirk. I passe by how, as is reported, votes were asked, who was hipped, what reasoning was, and due weighing of so weightie a mater; what considering or reporting of the ten men's mynds appointed before to conferre. Then, what willingnes, will ye lett me know, either before or yitt? Trust me, the most willingnes that ever I heir of anie I speake with, (say els where what they will,) and the greattest reasone they pretend is ane unwilling willingnes for fear of more evill forsuith! Ye will say ane idle feir: let it be so; yit so apprehendit, and therefore a feir; therefore noe willing-

[1] Selecting.

nes. And yit, if it be true there have been terrors givin out, if minassings used, if hornings threatned, and some put in practise from the beginning of their proceidings; if confyning also, and all these yit feared, how sall we call it ane idle feare? How sall we say, that they will who so will, and for such causes will? What if thir be yit continued, and for all remonstrance to informe men's conscience it be said, (at St Androes' table,) 'Ye sall be sent to fetche home the lave, and I care not though ye all disassent if I get but foure to follow?' Or at Peblis, 'Heir sit I, Archbishop of Glasco; I sall garre you,' &c. And such lyke speeches at Glasco, not sifting and examining things to find a trueth, nor seeking consent, but impyring and commanding. Is there heir, or sall we call it so a willingnes on the kirk's side, or humilitie, meeknes, and sobernes, on the bishops' side, to their brethren? Yea, what spirit resembleth it most, and what think ye it likest? What is pryde if this be not? And did the Popedome grow to such pryde in so short tyme, what must it turne to heirafter? Certanlie, (to say as I thinke, with leave,) there seems a curse powred on that state of bishops (this long tyme at least) in the world. But above all things, I beseeke you, sall I think it true that is so openlie reported, *datam et acceptam pecuniam*, by bishops to their favourizers with their votes? and his complaint that gott but nyne pund, ten shilling, 'though I voted,' sayes he, 'als weill as others?' '*Et in his artibus, res ecclesiasticæ agendæ? aut sic actæ, rite actæ, ut ratæ habendæ sint?*' And sall it be counted the kirk's doing that is thus done? or consent, so throwne, crafted, boasted, bribed, to be counted consents? *Dic ingenue*, what thinke ye if they be? Or if they be not, how is it so beleeved openlie and constantlie? How came such reports? And what is the verie trueth of it, I beseeke you let me know. This we know all, and ye heard and saw and I also, acts alledgit to by your selves, and disallowed by the wholl commissioners of all the presbyteries of a synode, viz., of Lothian, at Dalkeith. And manie acts are holden up; hardlie can sights be gotten of them; and some men have beene urged to acknowledge and allow them without seing of them; who, when they craved

copies, were refused, and yit still insisted with to consent without inquyring. Loe how it is, that I cannot think that this can be counted either the kirk's doing, neither a willing doing; neither sie I the reasone of your evacuating of that oathe sufficientlie; neither a warrant for myself, not to count this our discipline the discipline I sould yit acknowledge for onlie lawfull, most love, wishe, and speake for, als farre as to a private man belongs, except ye yitt informe me better.

"Loe, also, my mynde summarlie, anent the points of all your letters. Either I say my grounds or my stumbling-blocks to be removed by you or allowed; which I pray you doe, and think it not mispent tyme that ye thus spend in freindlie and Christian remonstrating, if it were but *qui erranti comiter monstrat viam, &c.* Neither will I say more nor has been said before; onlie I must hope ye be readie long since anent the answeir of my former two letters, and there needs noe long processe. Which expecting, and disposed not to cavill nor quarrell, (surlie,) but to try indifferentlie, modestlie, and cheerfullie to accept when I can find light and right, I committ you and all this mater most heartilie to our mercifull God. So mote I find his mercie.

"Your verie lovinglie affected brother.

"Preston, October 26, 1610."

THE TWELTH LETTER.

"RIGHT LOVING BROTHER,—I have travelled, ye know, this long tyme, to find the trueth anent these maters controverted in our kirk; wrote to you to that effect; and have receaved noe answer of anie my letters anent that question since the secund of Apryle last. I will not trow ye contemne that charitable duetie. I can not think ye have wanted leasure in so long tyme. It might seeme presumption to think there can be noe answeir; yit, what fourth can there be? And is it presumption to think so oft that which we think trueth; attributing force to trueth; not arrogating anie thing to our selves? Or what can this silence of yours doe,

but nourishe such ane humour even in modestie it self? I have long expected; and now I heir ye are boun to court, which might occasion longer delay. In the meane tyme, it cometh to my eares more and more daylie that ye have satisfied me, which can not be, but that some have seen that may satisfie me, or that he thinks may satisfie me. But why sould I not rather have seene it my self as the mater belongs most to me? Though, indeid, it belongs not onlie to me, neither am I cheeflie prejudgit by the report. Ye have a tractable partie, I protest. Never man in Scotland nor England wold fainer that office of bishops were lawfull for us, if I durst trow it were lawfull so to wish. Neither stand I on my credit. I know I have erred, and can confesse when I have; and even here wold wish I may without error confesse error. On the other part, I confesse also I never saw anie thing yit that could persuade me to that course of bishops; yea, the more I looke in it, the lesse I like of it.

"And now, last of all, by these your new consecrations so called, wherof so often as I heare, so oft I thinke I am dreaming that suche formes sould be used or avouched in Scotland by a Scotish man, a Protestant, let be a minister, to heare speake of a sole supreme power in the hands of anie one man to admitt and depose at his pleasour; that anie darre take it on them to give, or anie darre tak it on them to receave; abusing also the people with the names of *Superintendents* and *Episcopus* as goode Greeke and ill Latine, otherwyse all one office, even as now they are usurped, being that episcope of yours so manie ways unlawfull, so against your owne giving out at the beginning, and in your progresse till now of late against your alledgance to me, 'nothing to be altered in essentiall points of discipline;' yea, beyond your act of Glasco, as I am informed, and contrarie it. Which forme, is it not fraude, though the mater were good? And are suche means used in works by God, or imitated by his children? Yea, is there anent the mater anie suche office in his Word, (except in the Apostles,) and if we weigh it weill, was it even in the Apostles? or ever dreamed of but in antichristianisme (in mysterie) growing, or in substance floorishing,

or in dregges decaying, justlie cast out of this countrie, and not to be brought in againe; at least so counted, so spoken, so preached by you all, noe evidence yit given by anie in the contrarie. This is yit my errour to be examined if ye can, wherof part of the grounds ye have, and were worthie your travell to winne that wold fain be winne. Againe, therefore, in all solemne sort I must ask of you as one whom I count of to have greattest abilitie amongst them of that opinion. Or if ye thinke that there be anie other that hath greatter leasure or will to informe indeid without bitternesse or malice; either of Glasco or St Androes, who, I heare, professes that he will give anie man satisfaction, he sall addebt me all my dayes, and what is in me of power or ingyne, to bend in favors of that office heereafter. Ye have my reasons, which ye may communicate either in my name or in a suppressed, at your discretion. Onlie this litle eik, for remembrance of him who is said to excuse him anent the oath, as not being in the tymes when it was made: First, that we are now on the question what is lawfull for the Kirk of Scotland; not to anie one onlie man of it. 2. How sall be done with all that number which are manie that were in that tyme; how sall they excuse themselfs? 3. Then how universities as republicts, commonalties, incorporations, are bound in the present or in the posteritie? 4. If that excuse was not competent to Saul in his fact against the Gibeonits; and yit, how accounted of by God not the lesse. 5. But the last I may not slippe by, that I am informed, and trowes it sall be found sure, what tyme that ever he be of, I say himself in sadness, has he not allowed it sensyne? has he not subscryved it? yea, first or second among the subscrybers, expreslie craved, expreslie done, to testifie his mynde, and bound him to this same discipline for obviating this same (which is now done and was then denyed) superioritie of bishops.

"Now, give me leave in love also to mention this by the way, either for your considerance or my better satisfaction; has not the pretence of all these things beene the peace of the kirk and the weale of it? What weale, then, can there be compted to have

threttein men impyring and domineiring over the rest of the brethren, als good as they everie way? I may call it so now, (impyring and domineering,) for this sole power if supreme, is it which is just so, and cannot be eschewed by the subterfuges and abused words of your Saravia, whom I have wished oft that he had not looked on your alone, to have these brethren subject to them, yea, to their humours, and perhapps * * * they, the threttein bishops I meane, being certanlie in noe excellencie of anie gift beyond them: I say no farther. Manie ministers als good, some better, over whom not the lesse they must domine, command, thrall, silence, depose at their pleasure. Is this the weale of the kirk? Is this your 'justice distributive,' wherof you wrot, proportioned *ad mensuram meriti?* Consider it, and then let men mocke at our farre better discipline, which ye seeke to deface heirby.

"And as for peace, (which is never weill groundit, but upon the good liking of the mynds,) will men's mynds coalesce by this doing, either for the mater, (estate of bishops, I meane?) Not the tenth man lykes of it, either for the forme or convoy it is brought in with. Everie man loaths the craft and fraud in it. And certainlie, with this maner of doing, the Holie Ghost (blessed) had never to doe, nor with noe suche wisdome. Manie have borne with things by your pretences, that noe suche power was sought, becaus they were so perswadit; or becaus they would be so perswadit, till it were manifest. Now ye have discovered yourselfs. Can honest harts, thinke ye, beare with it anie longer? Ye know, they know it to be wrong. I say, they acknowledge it, and professe it; what will make them to tolerate it? Is it possible to them, if there be anie zeale in them? for I must give it that right name, (give ye it what name ye please;) and sall we presume all duetie so cleere deid, though it sould import perill of life, or whatsoever? Can we thinke that God has so cleene left them? for is it not leaving them, if conscience and knowledge repyne at it? And ye will, I trow, grant they sould resist, if they thinke it wrong in their hearts; and that manie thinks it in their hearts, I am perswadit ye doubt not. If there be yit in them that meekenesse,

that yeilding for feare and fleshlie ease, a heavie case it is indeid. Yit, how unsure a bond of peace, the mynds standing unperswadit by you, uninformed? a sure rule, make of it what you please, *pessimus custos diuturnitatis metus*. And on suche plaistering, what ruines must follow! How hard walkenning to the conscience is force, when it sall remember it sould not have beene forced! harder to you forcers of it, who sould farre lesse thus have forced it; or if ye lyke better, crafted it. There (at that tyme, I say, when it sall walken) must kythe the full measure of miserie, in that honour ye find so toylesome alreadie, which I pray God, your eyes may be opened now to see; except ye retort it, and wishe the opening of my owne. Wherin this advantage ye must neids give me, that honour nor gaine have not blindit me; faction and contention I hate from my heart. And gaine and honour are the fosterers of them: for who will contend for nought? who with suche disadvantages, and even losses? Sure I have disposed my heart with instruction: I kisse it, if I can know it; and runne to it, all things sett aside. Either bring it, or blame me not since I now seeke it; neither let these reports be, that it is brought, and satisfaction, where it is not given, which certainlie must not ly on me, to the prejudice of the caus, and slander and offence of anie otherwise. Loe me, have me, and make of me what ye like: what can I farther? The Lord of all light lighten all hearts in the impartiall searche, and seeking of the right. Amen.

"Prestoun, 1611, Martii 6.

"One thing I must explicate, that I wished to have beene at your reading of Saravia. I meane not arrogating to myself, nor derogating to your judgement; but *plus vident oculi, quam oculus;* or if there had beene a caus, I might have beene of your minde. Another thing I must remember, in your oath of consecration of your residence. Is it so meaned? If it be not meaned, is it not mockerie? *et in re tam seria?* Weill, weill; againe to God."

THE SCOTTISHE BISHOPS CONSECRATED.

The Bishops of Glasco and Brechin tooke journey to court soone after the Assemblie of Glasco, to make report to the King of the proceedings of the said Assemblie, and to gett thankes. The Bishope of Galloway, Mr Gawin Hammiltoun, followed soone after. They were all three consecrated verie solemnlie, by Abbots, Bishop of London, according to the English forme. The bishops in Scotland wold not be content to be consecrated by the English bishops, not in tyme of Poprie. The king triumphed. A banquet was made. Gifts were bestowed, and glooves were distributed, in token of the solemnization of the mariage betwixt the bishops and their kirks. There was no mention made in the Assemblie of their consecration, farre lesse anie warrant for them to take upon them the office of a bishop, distinct from the office of a presbyter. They did onlie ty ordination, jurisdiction, plantation to them, as conjunct necessarilie with the presbyteries, (I meane to such as were styled bishops, by reasone of their benefices and titles therto.) But they tooke upon them consecration to ane office; and when they returned home, they consecrated the rest of their fellowes. All of them deserted their flockes, and usurped therefter jurisdiction over the ministers, and people of their diocies, by vertue of their consecration to ane office, and not by anie delegate power from the Assemblie, which might have beene taken away againe from anie of them by another Assemblie, or they did fall from it, incase they had beene anie ways depryved of the title to the benefice, and vote in parliament. These three, to witt, Mr Johne Spottiswode, Bishope of Glasco, Mr Andrew Lamb, Bishope of Brechin, and Mr Gavine Hammiltoun, Bishope of Galloway, were the thrie that brake off first, and boldlie accepted this consecration in the moneth of November, without warrant, yea, without the knowledge or consent of the Kirk of Scotland. Wherupon were made upon them these distiches following, by Mr Andrew Melvine :—

De tribus lupis Grampianis, indelebile charactere ad Tamesin notatis.

Præsulibus stigma impressum indelebile nostris,
Mancipia ut fiant pessima stigmaticæ.
Romuleis compuncte notis cui ternio servis?
Luxui? avaritiæ? non veneri atque gulæ?
Anglia nonne lupos Cambris e montibus olim
Exegisti? aiam te ne ego ferre lupos?
Verum fac te ferre lupos; vicina de te
Quid meruit, per te præda quod ipsa lupis?

Alia—

Es Tamesino oleo Casa candida, Glascua, et Esca,
(Alite at infausto) pingue perūncta caput.
Uncta nites Tamesino oleo Casa candida pingui,
Unguine pingui itidem pinguior Esca nites.
Mota sed hæc Camarina exhalat opaca Mephitim,
Ipse Caledonius quam fugit oceanus.
Unctus Glotta nites Tamesino opobalsamo, et ungis
Edenis liquido lubricum odere caput.
Glotta retro propera, versique relabere lymphis
In caput: is cauda est qui fuit ante caput.
Dona caput conde ut vites Edenis amarcam:
Fæx fundo hæret olens fatide, odore necans.
Nate Deo surge, et vasorum interfice pestem,
Ne contage gregem perdat acerba lues.

BANCROFT'S DEATH.

In the same moneth of November, Doctor Bancroft, Archbishope of Canterburie, endit his life miserablie, in such paines and torment of a stone and ulcer in his bladder, that his water came furth at his fundament. He cryed to his servants to kill him. He was the thrid of the Councel of England that died, and was brought

before the great Judge, before whom Mr Andrew Melvill summoned them, that last tyme he was before them. But he was the man against whom he directed the most of his speeches. He altered his will and testament, and left his servants malcontent. One of them made his epitaphe :—

"Heere lyeth *Dic ecclesiæ*, suspected a Papist,
Who lived a Matchiavell, and died ane Atheist."

Doctor Abbots, Bishope of London, in his sermone on Sunday, the 25th of November, did highlie commend him, amongst other things, for setting up the crosse in Chapeside, and pulling doun the presbyteries in Scotland. And thus endit one of the cheefe instruments of the overthrow of the discipline of the Kirk of Scotland, lyk as shortlie efter, another instrument was plucked away by death in the height of his honour, viz., the Erle of Dumbar.

THE ARCHBISHOPE OF SAINCT ANDROES CONSECRATED.

In the moneth of December, the thrie consecrated bishops returned home to Scotland, and consecrated the Archbishope of St Androes, &c., efter the same maner that they were consecrated themselfs, als neere as they could imitate.

Upon the first of November, before the going to of the sunne, there were seen by twelve or threttein husband men, great companies of men in thrie sundrie battells, joyning together and fighting the space of ane houre, on certain lands perteining to my Lord Livingstoun and the Laird of Carse. The honest men were examined, in the presence of diverse noblemen, barons, and gentlemen, and affirmed constantlie that they saw such appearance.

The Erle of Dumbar and the Lord Chancellour tooke journey to court in the moneth of September. The Lord Chancellour returned to Edinburgh upon the last of November.

M.DC.XI.

THE ERLE OF DUMBAR'S DEATH.

In the moneth of Januar, the Erle of Dumbar departed this life at court, not without suspicion of poysoun, becaus my Lord of Kinlosse, Lord of the Rolls, a Scottishman, placed in that office by the king at his going to England, had died a little before. Howsoever it was, the erle was by death pulled doun from the height of his honour, even when he was about to solemnize magnificentlie his daughter's mariage with the Lord Waldane. He purposed to celebrate St George's day following in Beruicke, where he had almost finished a sumptuous and glorious palace. But the curse was executed on him that was pronounced upon the builders of Jericho. He was so bussie, and left nothing undone to overthrow the discipline of our church, and speciallie at the Assemblie holden the last sommer in Glasco. But none of his posteritie injoyeth a foote broade of land this day of his conqueist in Scotland. He endit his dayes in Whythall, upon Wednisday, the penult of Januar.

MR ANDRO MELVILL LETT OUT OF THE TOWRE.

The Duke of Bulloigne sent a letter to Mr Andro Melvill, dated at Parise, the 30th of Januare, wherin he certified him, that he had sent unto his Majestie, to obteane his libertie out of the Towre, that he might come to Sedane. Libertie was granted to him to goe from the Towre to the shippe. But becaus he was sicke, when he was to come furth, libertie was granted to him to take the frie aire for ten dayes, within the compasse of ten myles about Londoun, but he must not in the meane tyme come neere the king's, queen's, or prince's court, least his freinds sould be mislyked for his caus.

MR WILLIAM OLYPHANT MADE LORD OF THE SESSION.

Mr William Olyphant, the king's advocate, at the king's direction was made a Lord of the Seate, and placed in the Laird of Edgell's place, who departed this lyfe the 18th of Januar.

BISHOPS CONSECRATED.

Upon the Lord's day, the 23d of Januar, some of the bishops were consecrated by these who were consecrated before. Some were absent by reasone of the storme. Some, as was alledgit, sturred at the forme and order of the consecration; yit afterward, upon the Lord's day, the 24th of Februare, these who were not consecrated before, at the first meeting at St Androes, were consecrated in Leith.

INVENTOR TAKEN OF THE ERLE OF DUMBAR HIS GOODS.

The chancellor, accompanied with some other noblemen, tooke journey the elleventh of Februare to Beruicke, to take inventour of the Erle of Dumbar his movables, as they had done before at Halyrudhous, conforme to the king's commission directed to them theranent.

The death of the Erle of Dumbar bredd ane alteration in state effairs. The chancellour, with sundrie others of the councell, als weill bishops as others, tooke journey to court about the mids of Marche, fearing alteration, and everie man seeking his owne particular.

THE DIOCESAN SYNOD OF LOTHIAN.

Upon the 19th of Marche, Mr George Glaidstanes, Bishope of St Androes, held a diocesan synod in Edinburgh. After exhortation and thanksgiving, the members of the privie conference were chosen. In the second session, the forme of tryall of persones

which are to be admitted to the ministrie who had not exercised publictlie, was concludit as followeth:—

"It is concludit, that whatsomever persone who has not exercised publictlie of before, and desyrs to be admitted to the ministrie, that before his admission, he be tryed efter this forme: First, that he teache in Latine privatlie. Nixt, that he teache in Englishe privatlie. Thridlie, that he adde to the exercise, and exercise publictlie, teache in pulpit popularlie. Last of all, that he be tryed by positionea, and questions upon the controverted heads and places of theologie; and all these tryalls to preceide his admission."

Mr Adam Bannatyne, minister at Falkirke, but now Bishope of Dumblane, craved ane helper and fellow-labourer to be granted to him upon his owne charges, in respect of the farre distance betuixt his kirk and the lands of Kilconquhar, which fell to him by the death of the laird. But he was ordained, either to transport himself, conforme to the act of transportation granted to him at the last synode, that the kirk may be declaired to vaike; or els to dimitt the said benefice; or els to serve in persone, and make residence in his owne persone; to teache and minister the sacraments, all substituts and fellow-labourers being secludit; under the paine of deposition: and the premisses failing betwixt and the nixt synode, that he be deposed from all function of the ministrie at the nixt synode. There was just caus to deale thus with Mr Adam Bannatyne, becaus his paroche was destitute of the preaching of the Word the halfe of the Sabboths of the year. No wonder it was that he aspyred to a bishopricke, that made so little conscience of his ministeriall function. He had said, that the Bishop of Dumblane, Mr George Grahame, the excrement of bishops, had licked up the excrement of bishopricks. But when Mr George Grahame was transported to Orkney, he licked up his excrements, and hath gotten the Deanrie of the Chappell Royall annexed to the Bishoprick of Dumblane.

Mr Patrik Simsone, minister at Stirline, sent to this synod, and craved their resolution, if the celebration of the Lord's Supper with-

in the kirk of Sterline sould be continued, till the jarres risen latelie betwixt the neighbours and indwellers were settled and removed? It was answered, that it sould be delayed till all neighbours were reconciled, and that their reconciliation be reported to the nixt synode. Heere we may see, that Mr Patrik Simsone, a man of great account in our kirk, acknowledgit the authoritie of the diocesan synods. But this proceedit rather of simplicitie, than anie due consideration or sufficient ground.

It was voted by the whole brethren of this present diocesan synode, that the exercise of the brethren sould be continued in the ordinarie places where they are presentlie; and that they be not removed out of ordinarie places betwixt synodall assemblies.

Item, It was ordeaned, that the act of the Generall Assemblie holden at Glasco, the 8th of June, 1610 years, against the absent ministers from diocesan assemblies, and ordinarie visitation of kirks, without just caus, or lawfull excuse, sould be put to execution against the absent ministers from the nixt synodall assemblie; viz., the minister that sall be absent without just caus, or lawfull excuse, sould be suspendit from his office and benefice; and if he mend not, sould be deprived. And this act to be intimated in the whole conventions of the brethren, within this present diocesan synode.

My Lord Archbishop of St Androes caused reade and intimate to the whole brethren of this diocesan synode, his Majestie's will and declaration anent the discipline that ministers have over their parochiners, and anent the election of the sessions of kirks; as at more length is conteaned in his Majestie's will and declaration, read and intimated by the said archbishope to the said brethren. The bishops had so farre prevailed, that the authoritie that they had purchassed at that woefull Assemblie holden at Glasco was not controlled, or called in question even by the whole synods, let be particular persons, some few excepted, who were confyned before the act of Glasco, or were since confyned, for not subjecting themselves to their authoritie in the diocesan synods. Yea, Gladestaines is not mentioned without the style of Lord and Arch-

bishope, howbeit noe mention was made of archbishops in the act of Glasco. The name of Presbyterie in all the references of the synode is not once heard, but onlie, the Brethren of the Exercise, or Convention of Brethren for the Exercise.

THE DIOCESAN SYNOD OF FIFE.

Upon Tuisday, the second of Apryle, the Bishope of St Androes, Mr Gladestaines, sent missives to everie presbyterie of his diocie within Anguse, Mernes, Stratherne, Fyfe, to warne all the ministers be-north Forth to conveene at St Androes the first Tuisday of Apryle, alledging he had his Majestie's warrant and command so to doe. This convention held in the Seinzie weeke.[1] The mater wherfore they were convocated was, to have some appointed to advyse what way the uniformitie of discipline sould be established in all the kirks of the diocie; becaus, as the bishop affirmed, we were to have noe moe Generall Assemblies, and, therefore, diocesan synods behoved to supplie their place, or want. So, some were appointed to conveene for the end foresaid, and to report their diligence to the nixt Assemblie.

At this synode it was appointed, that at all synods heerafter ministers weare gownes. Mr William Cowper gave in a bill, craving transportation, becaus, as he alledgit, the toun of Perth was not beneficiall to him. His college, Mr Johne Malcolme, and other brethren of his presbyterie, wondered, seing they never heard of such a purpose, and the toun of Perth was not advertised that he was to present such a bill. But whatsoever thing the bishop put to voting, was concludit as it pleased him. So there was a visitation of the kirk of Perth appointed for his sake. The ambitious and covetous man was aiming at a bishoprick, and had intention to be transported from Perth to St Androes, that his ministrie there might be a steppe to the bishopricke. He said once in a publict audience before his Majestie and manie of the ministrie,

[1] Week of holding synod.

that he had rather be hangit at the Mercat Crosse of Edinburgh, ere one honest man of the ministrie of Scotland tooke upon him the office of a bishope. His letter to the Bishop of Dumblane, Mr George Grahame, above written, expresseth verilie to us what was his judgement of the bishops. But now, when he seeth that their course hath prevailed, his heart, which was ever covetous and worldlie from the beginning, suffered never his unsettled and distempered braine, troubled with sundrie apprehensions and imaginations, to take rest, till he gripped a bishopricke. He maide it nyce in the beginning to accept the Bishopricke of Galloway, now vacant through the decease of Mr Gawine Hammiltoun, who died in great debt. When he was nycest, then was he the most curious and bussie among the lawers and wryters, to understand whether the union and incorporation of the Priorie of Quhittorne, the Abbacie of Glenluce and Tungland, to the Bishoprick of Galloway, was sufficientlie warranted by law or not. Seing he was myndit to have a bishoprick, he wold first see it fatt and corpulent with incorporations and unions.

NEW OCTAVIANS.

About the end of Aprile, the chancellour and other councellors, and the bishops that went up to court, returned. The handling of the offices of the thesaurarie, comptrollerie, and collectorie, was committed to eight councellers, or anie foure of them, the chanceller being always one. The chancellour gott the custodie of the Palace of Halyrudhous, with the Park adjoyning. The names of the eight to whom the king committed these effairs were the Chancellour, the President, the Secretare, the Advocate, the Bishope of Glasco, the Lord of Scoone, Sir Gedeon Murrey, and Sir Johne Arnot, Provest of Edinburgh.

ERROLL SETT AT LIBERTIE.

About the end of May, the Erle of Erroll, wairdit in the Castell

of Edinburgh, and excommunicated for his apostasie, was sett at libertie, howbeit not relaxed from excommunication. The Erle of Dumbar promised to the ministrie, that if he lay anie space under the censure of excommunication, his lands and rents sould be possessed and intromett with to his Majestie's use, and he sould never be suffered to pass out of waird. But the turne being done which the king and the bishops aimed at, promises were not keeped.

MR THOMAS SYDSERFE HIS ADMISSION.

Mr Thomas Sydserfe was admitted by the Archbishop of St Androes to the ministrie in the Great Kirk of Edinburgh upon the penult of May. He acknowledgit the king supreme governour over all persons and in all causes, and the archbishope to be his lawfull superior and ordinar, and therefter received imposition of hands. This young man became a bitter enemie to sincere professours, and is at this day so hated by the people for his arrogance, malice, and bitter invectives, wherewith his sermons, otherways verie cold, are stuffed, that he laboureth by all means for transportation. He is presentlie seeking the kirk of Libertoun with such importunitie, that notwithstanding of the miscontentment of the parochiners, made knowne to him by their letters to his shame, he is not ashamed to persist.

ARABELLA COMMITTED TO THE TOURE.

About the beginning of June, Arabella, the king's cousigne, being committed to the custodie of a nobleman in England, for mariage upon a noble man's sonne in England, who claimed right to the crowne failing the king's succession, escaped, and her husband lykwayes escaped out of the Toure. Whill they were readie to passe in sundrie vessels for Dunkirk, they were persued by the king's ships. Arabella was brought backe, and committed to the Toure of London, but her husband escaped.

MR JOHNE STRATOUN WAIRDIT.

About this tyme, Mr Johne Stratoun, minister of Forresse in the North, was cited before the Bishope of St Androes and some of his Majestie's counsell, to answeir for ane exercise, wherin he taught against the state of bishops, the Bishope of Murray being one of his auditors. But Mr Johne wold not acknowledge the bishope to be his judge. Yit to let all men understand that he was not ashamed of his doctrine, he sett doun his exercise in writt. His text fell by course to be in the beginning of the fourth chapter of the First Epistle to Timothie. For this his freedome and libertie he was wairdit in the castell of Innernesse.

Upon the fourth of June, Mr Johne Chalmers, latelie admitted to the ministrie, to the kirk of Creith in the North, after he had celebrate a mariage, went to his owne chamber; and having shoote the doore upon himself, he strake himself twise with one of his owne knyves in the craige. The first stroke did him litle hurt. With the secund he cutted his wesand; but by the providence of God, his thropple[1] was spaired. Some gentlemen of the paroche being at the kirk missed him, soughit him to and froe, and at last came to the chamber doore. They found the doore barred but not locked, and noe answeir was made to them when they cryed, wherupon they brake up the doore. When they went in, they find him sitting on his knees, and his hands lifted up to heaven; but he was not able for a space to speake by reasone of his weaknes, caused through the great effusion of his blood. The day following he spake more distinctlie; and by the providence of God, the Marquis of Huntlie was ryding throughe Creith to the Bogie. He hiering of the accident, went in to him, and questioned him upon manie things, but speciallie, if he was brought in the doubt of his religion by reiding of the doctors; for he alledgit, that manie of our profession, through reiding of the doctors, were moved to doubt. Mr

[1] Windpipe.

Johne answeired, he never doubted of the religion which he professed and preached, and that by reiding of the doctors he was confirmed. He confessed, that the cheefe thing wherby Sathan gatt victorie over him was his owne covetousnes. The day following, which was the presbyterie day, the exercise was made in his chamber. Efter the doctrine, he was inquyred what he thought of the doctrine? He answered, he never receaved so much confort as he did of that exercise. Efter that, he gave a confession of his unnaturall fact, shewed tokens of his repentance, and of the hope he had to be forgiven; and desyred them to absolve him in the name of Chryst, which they did. Then he confessed, that the first advantage Sathan obtained over him was by making excuses for not keiping the presbyteries and other conventions necessarie: Nixt, that he tooke a conceate of his owne inabilitie to teache, and so left off teaching: Thridlie, that he disdained prayer. That lying in this estate, he could never have grace to take up himself till he interprysed this wicked fact. He exhorted the ministers to be warre of hypocrisie, to be diligent in their vocation, to cast away great care of the world, and to stryve against ambition. He desyred that Mr Leonard Leslie, persone of Bothnse, as a fitt man, [should be appointed] to succede him, and recommendit him to the Lord Saltoun and the parochiners. Upon Fryday, he made his testament. About the midst of the night, through the emptines of his veines, he fell in a raiving; but efter he was refreshed with a litle sleepe he came to himself againe. The Laird of Corse being sent for, he came to him upon Satterday, at night late. He affirmed, efter he had conferred with him, that that journey was the best journey that ever he made, and that Mr Johne had done more good by his death nor he wold have done by his lyfe. On the Lord's [day,] about four efternoone, his speeche failed, and he continued speechles till Monday, during which tyme, he gave care to the reiding of the Word and prayer. Efter he had gotten some refreshment by sleepe on Monday, he was asked how he was. He answered, he was blyth, and said he had a desire to sing, becaus he found that God had given his speeche to him againe to glorifie

him; and desyred the 124th psalme sould be sung. Which being endit, he desired the 103d psalme to be sung; efter that, he conceived a prayer; and so, continued in heavenlie conference, prayer, and heiring of prayer, till about nyne or ten of the clocke. When his speeche failed, he held up his hands, and gave up the ghost about ellevin of the clocke. He confessed secretlie, that he was unable to doe his duetie to his wife, which was a great greefe to him. I have heir subjoyned his confession which he made that same day that he committed the fact.

"I, Mr Johne Chalmers, grants and confesses my manifold sinnes, whairin God left me for a tyme to the tentations of Sathan, who in a great measure wrought against me, and brought me to the attempting of this unnaturall fact against myself. And yit, in the verie meantyme, the power of God and the Spirit of Jesus Chryst so prevailed in me against him, that God not onlie withdrew me from the fact, and spared me for a tyme, but also in my greattest infirmitie and mids of my paine, has shawen his mervellous power and strength in releiving me from Sathan, and giving me finall end and victorie over Sathan, the world, and the fleshe; and has restored me to the sight of his mercie in the onlie blude of Jesus Chryst, and so pacifyed my troubled conscience, that now I find my onlie joy and felicitie to stand in the sight and presence of God, through the onlie mercie of Jesus Chryst; and awaits onlie the resolution of my bodie from my soule for the possession and inheritance of that glorie eternall wherof the Holie Spirit gives me full assurance. Farther, I confes, that I had never anie trouble in my conscience concerning the truthe of religion, which I ever publictlie professed and preached, save onlie that I was not so faithfull in my ministrie as I ought. I acknowledge the religion presentlie professed in this land to be that undoubted truthe of God, groundit upon his Word, written in the books of Old and New Testament; and to be that true worship of God, onlie acceptable to him, and brings salvation to man by Jesus Christ. I abhorre and detest all merits of man as helpfull to salvation; all doctrines invented by man besyde the written Word. I confes, the cheefe and onlie

mater of my tentation wherupon Sathan wrought, to have beene over great love of the world, and excessive cares therof beguyling and blinding me, as though I had noe cares therof where I had over much; which now I detest as dung, in respect of that excellent and exceeding great riches which now I find in Jesus Chryst. Requeisting also the faithfull ministers of the Gospell by my exemple to leave the cares of the world, setting themselfs on the Word of God, continuallie and faithfullie preaching the Word, and stryving for themselfs and the people against Sathan, whose cheefe tentation is to stoppe the mouths of the preachers: which in presence of God I testifie by this my subscription befor thir witnesses undersubscrybing.

"At Creith, the 4th of June, 1611."

"Lykwise it is most true, that during all the tyme of his greefe of mynd, albeit he found not such confort in God as he wont to have, yit never profained God's name, but most reverentlie spake of His most divyne Majestie, as the wholl people with whom he resorted will testifie.

"Morover, when the doores were opened where he had inclosed himself, he was found sitting on his knies, and his hands up to heaven; and howsoever he spake he glorified God, as sundrie gentlemen that came in can testifie.

"MAISTER WILLIAM GORDOUN."

THE GOODMAN OF HUMBIE HIS DEATH.

About the 24th of September, Sir James Lawsone of Humbie ryding in Bakalvie sands, where manie other gentlemen were passing their time, sunk doun in a part of the sands and perished. He was found againe on the morne, but his hors was never seene. It was crediblie reported, that the Erle of Dumbar committed bougerie with this young man.

The act of parliament concerning taking more profite nor ten of the hundreth was put in execution at the sute of some courteours. One overture or other was daylie devised for extorting money from

the people. The people murmured, and the mater was meaned to the king, but they found small ease.

A motion was made to the Lords of Session to receive ane English minister. The intention was, to bring in Englishe formes and ceremonies amongst [us ;] but the motion was not insisted upon.

M.DC.XII.

Master Johne Spottiswode, Bishope of Glasco, returned from court in the moneth of Februar. He had complained to the king upon the Marqueis of Hammiltoun, who had buffeted him for some proude speeches. The king gave him the abbacie of Newabbey to appease him, and a warrant to hold a Court of Conscience, as was reported, wherunto anie man finding himself oppressed or wronged by the ordinare judges might appeale; but we saw noe execution.

In the moneth of Marche and Aprile fell furth prodigious works and rare accidents. A cow brought furth fourteene great dogge whelps in stead of calves. Another, efter the calving, became starke madde, so that the owner was forced to slay her. A deid bairne was found in her bellie. A thrid brought furth a calfe with two heads. One of the Erle of Argyle's servants being sicke, vomited two toades and a serpent, and so convalesced; but vomited after a number of litle toades. A man dwelling beside Glasco murthered both his father and his mother. A young man going at the ploughe neir Kirklistoun killeth his owne sonne accidentallie with the throwing of a stone, goeth home, and hangeth himself. His wife, latlie delivered of a child, running out of the house to seek her husband, before she returned, a sow had eaten her child.

The Scottishmen lying at court were in danger of their lyves by reasone of the great malice of the Englishe conceived against them. Sir Johne Ramsay's brother smotte the Lord Mongomerie's brother on the face with a rod for a lie given him at the horse race. There were present about ane hundreth Scotishmen, all in danger to be massacred, if the Englishe had not beene stayed by a councellour.

James Maxwell, one of the gentlemen of the king's chamber, pulled ane Englishman's eare till it bledd. Our countrie men durst not repair so frequentlie to the Exchange or comedies as they did before. The Lord of Kinlosse was in great danger at a comedie, but was convoyed secreitlie away by ane aged gentleman who was weill acquaint with his father. This lybell was affixed in open places, "The Scotts doe whippe our noblemen with rods; they kill our fencers traiterouslie under trust." The Lord Sanquhar indeid hyred two Scottish men to kill ane Englishe fencer, who sixe or seven yeers before had putt furth his ey at the fencing. They killed him in ane innes, whill he was putting the coppe to his heade. To content the Englishe, the king consented that Sanquhare sould be hangit. For the greater contempt to our nobilitie, he was hangit among a number of theevs.

Mr James Elphingstoun, Lord of Balmirrinoche, latelie secretar, endit his dayes about the end of Maij.

The Lord Maxwell returned to his countrie in the moneth of Marche, with other two or thrie deboshed men, outlawed as himselfe was, without the king's licence. Great searche was made for him, but he was not apprehendit till the moneth of Julie, at what tyme he was apprehendit in Cathnes. From thence he was brought by sea to Leith, and wairdit in the jayll of Edinburgh the 19th of September.

Upon the 16th of October, the parliament beganne to be holden in Edinburgh. It was thought that the bishops procured the chancellour to be constituted the king's commissioner that he might be shifted from his office, wherat some of the[m] aymed. In his harrangue before the parliament, he checked them. The bishops wold have had eight hundreth thowsand punds of taxation granted to the king, becaus now he had need of it when his daughter was to be maried upon Count Palatine. They drew on some of the burrows to consent to the halfe of it, upon hope of some things to be granted to them. But the greatter part of the burrowes, noblemen, and barons, oppouned, and so noe more was granted but three hundreth and threescore thowsand merks. Burlie his power

of executing the act against unreasonable annualls was abridgit. The acts of Glasco Assemblie were ratified, and under colour of explanation, inlarged and altered, so that in effect they were new effects; the tenor wherof followeth:—

A RATIFICATION OF THE ACTS AND CONCLUSIONS SETT DOUN AND AGREED UPON IN THE GENERALL ASSEMBLIE OF THE KIRK KEEPED IN GLASCO, IN THE MONETH OF JUNE, 1610. TOGETHER WITH ANE EXPLANATION MADE BY THE ESTATES OF SOME OF THE ARTICLES OF THE SAME.

"Forasmuche as in the parliament holden at Edinburgh, the yier of God 1597, the estates of this kingdome remitted to his Majestie, to consult and agree with the Generall Assemblie of the kirk, upoun the authoritie and power which the archbishops and bishops sould have in the policie and discipline of the kirk: Wheranent, efter that his Majestie and his commissioners had manie tymes most seriouslie conferred and advysed with the ministrie; at last, conclusion was taken in the Generall Assemblie holden at Glasco, in the moneth of June, 1610 yeirs, determining all the doubtfull and controverted points concerning the jurisdiction, policie, and discipline forsaid, with full and uniforme consent of a verie frequent number of godlie ministers; assisted by the councell, and concurrence of a great manie of best affected nobilitie, barons, and commissioners of burrowes in this kingdome, in maner, substance, and effect following: With the explanation made by the estates of parliament presentlie conveened, of some of these articles resolved upon in the forsaid Assemblie of Glasco.

"In the first, the forsaid Assemblie acknowledgeth the indiction of the Generall Assemblie of the kirk to apperteane to his Majestie, by the prerogative of his royall crowne.

"And farther, ordaineth that the bishops sall be moderators in everie diocesan synode. And the synode sall hold twise in the yeer, of the kirks of everie diocie, viz., in Aprile and October; and where the diocies are large, that there be two or thrie synods in

convenient places, for ease of the ministrie. And incase the bishope of the diocie be absent upon anie necessarie occasion, in that case, his place sall be supplied by such a worthie minister, (bearing charge within the bounds,) as the archbishope or bishope sall appoint.

"That noe sentence of excommunication, or absolution therof, be pronounced against or in favors of anie persone, without the knowledge and approbation of the bishope of the diocie, who must be answerable to God and his Majestie, for all formall and impartiall proceeding therin; and the processe being found formall, the sentence to be pronounced at the direction of the bishope, by the minister of the paroche where the offender dwelleth, and the processe began.

"That all presentations to benefices be directed heerefter to the archbishope or bishope of the diocie, within the which the benefice vacant by dimission, deprivation, deceasse, or otherwayes, lyeth. With power also to the archbishope or bishope to dispone and conferre such benefices as fall in his diocie *jure devoluto;* provyding always, in case anie archbishope or bishope sould refuse to admitt anie qualified minister accepting the presentation granted to him, and who has beene once receaved and admitted to the function of the ministrie, being then still undeprived, presented to them by the patrone. In the case of anie such refuse, it sall be lawfull to the patrone to reteane the wholl fruits of the said benefice in his owne hand; and either he or the paroche wanting a pastor, by reasone of the not planting of the kirk, (in case the refusall therof come to the bishope,) may compleane therof to his archbishope. And if either the archbishope be the refuser, or els does not give due redresse, being compleaned unto, in that case, the Lords of his Majestie's Privie Counsell, upon the partie's complaint of the refuse, and noe sufficient reasone being given for the same, sall direct letters of horning, charging the ordinarie to doe his duetie, in the receaving and admitting of suche a persone as the said patrone has presented. It is always declared, that if anie archbishope or bishope sall deprehend anie such persone as is pre-

sented unto him, to have come within compasse of a Simonicall paction with his patrone, in so farre as he hath either alreadie hurt, or promised and bound himself to prejudge and hurt, the estate of his benefice, in not reserving a sufficient maintenance for him and his successors answeirable to the estate of his benefice, and the bishope or archbishope sall understand the same, either by the partie's oathe, or other cleere prooffe and evidence; in that case, they may lawfullie refuse anie such persone presented unto them. But if the partie who is presented hath reserved to himself and his successors a sufficient maintenance, the setting of tacks, or promise to doe the same, or doing of anie thing els to his patrone, (being not prejudiciall to that aforsaid maintenance,) sall noe ways be ascribed to anie Simoniacall paction, nor sall not serve for anie reasone to the archbishope or bishope to refuse him. And in case anie such question or controversie sall occurre betuixt the patrone, the persone presented, and the archbishope or bishope, it is declared that the Lords of Councell and Session sall be judges therto, to decide upon the said Simoniacall paction, and qualitie of the same, if anie such thing sall be objected against the partie presented.

"In deposition of the ministers, the bishope associating to himself the ministrie of these bounds where the delinquent served, he is there to take tryall of the fact, and upon just caus found, to deprive; and the like order to be observed in suspension of ministers from the exercise of the function.

"That everie minister in his admission sall sweare obedience to his Majestie, and to his ordinar, according to the forme following:—

"'I, A. B., now nominated and admitted to the kirk of C., testifie and declare in my conscience, that the right excellent, right highe, and mightie prince, James the Sixt, by the grace of God, King of Scotland, England, France, and Irland, Defender of the Faith, is the onlie lawfull supreme governour of this realme, als weill in maters spirituall and ecclesiasticall, as in things temporall; and that no forraine prince, state, nor potentate, has, or ought to have, anie jurisdiction, power, superioritie, pre-eminence, or authoritie ecclesi-

asticall or spirituall, within this realme. And, therefore, I utterlie renounce and forsake all forraine jurisdiction, power, superiorities, and authorities; and promise, that from this furth, I sall and will beare faith and true alledgance to his Hienes, his heyres and lawfull successors; and to my power sall assist all jurisdictions, priviledges, pre-eminencies, and authorities, granted and belonging to his Hienes, his heyres, and lawfull successors, or united and annexed to his royall crowne. And farther, I acknowledge and confes to have and to hold the said C., and possession of the same, under God of his Majestie, and his crowne royall of this realme; and for the saids possessions, I doe homage presentlie unto his Hienes in your presence; and to his Majestie, his heyres, and lawfull successors sall be true. So helpe me God.'

"And als, that everie minister, in his admission, sall sweare obedience to his ordinare, according to this forme following:—

"'I, A. B., now admitted to the kirk of C., promise and sweare to E. F., bishope of that diocie, obedience, and to his successors in all lawfull things. So helpe me God.'

"And if the said benefice be at the presentation of a laicke patrone, the persone presented sall give his oath as followeth:—

"'I, G. H., now admitted to the forsaid benefice, testifie and declare in my conscience, that the right excellent, right highe, and mightie prince, James the Sixt, by the grace of God, King of Scotland, England, France, and Irland, Defender of the Faith, &c., is the onlie lawfull supreme governour of this realme; als weill in maters spirituall and ecclesiastick, as in things temporall; and that noe forraine prince, state, nor potentate, has, or ought to have, anie jurisdiction, power, superioritie, pre-eminencie, or authoritie, ecclesiastick or spirituall, within this realme. And, therefore, I utterlie renounce and forsake all forraine jurisdiction, power, superioritie, and authorities; and promise, that from this furth, I sall and will beare faith and true alledgance to his Hienes, his heyres, and lawfull successors; and to my power, sall assist and defend all jurisdictions, priviledges, pre-eminences, and authorities, granted and belonging to his Hienes, his heyres, or lawfull suc-

cessors, or united and annexed to his royall crowne. And I doe acknowledge and confesse to have and hold the said benefice and possessions of the same, under God, by his Majestie, of E. F., lawfull patron of the same.'

"That the visitation of ilk diocie be done by the bishope himself, and if the bounds be greatter than he can overtake, that then he make speciall choise of some worthie man of the ministrie within the diocie to visite in his place. And whatever minister, without just caus, or lawfull excuse made, sall absent himself from the visitation, or the diocesan assemblie, he sall be suspendit from his office and benefice; and if he amend not, he sall be deprived.

"That the conventions of ministers for exercise sall be moderated by the bishope, being present; and in his absence, by anie other minister whom he sall appoint at the synode.

"Which acts, ordinances, and declarations above written, his Majestie finding to be verie agreable to the true religion professed within this kingdome, and to the godlie and decent governement of the kirk, ministrie, and whole members therof: Therefore, his Hienes, with advyse and consent of the estats of parliament, ratifies, approves, and confirmes all and sundrie the premisses; and ordaines them, and everie one of them, to be obeyed and observed by all his Hienes' subjects, as inviolable lawes, in all tyme coming; annulling and rescinding the 114th act of his Majestie's parliament holden *in anno* 1592, and all and whatsomever other acts of parliament, lawes, ordinances, and constitutions, sentences and customes, in so farre as they, or anie part of the same, are contrarie, or derogatorie to anie of the articles above written, als essentiallie and effectuallie in all respects, as if the said acts and consuetudes heerby abrogated were at length heerin expressed."

This Act of Ratification, under colour of explanation of the Act of Glasco, allowed to the bishops further power nor was granted at that convention; and the bishops, soone efter this parliament, beganne to be more imperious nor before. The omissions, additions, and alterations of the Act of Glasco made by this ratification, may

be gathered by this collation following, wherby we may perceave the Act of Ratification may rather be called the Act of Irritation.

A COLLATION OF THE ACT OF GLASCO CONVENTION, ANNO 1610, WITH THE RATIFICATION THEROF IN PARLIAMENT, ANNO 1612.

By the Act of Glasgow the bishops are to be subject in all things concerning their life, conversation, office, and benefice, to the censure of the Generall Assemblie. So, not onlie by the caveats agreed upon at Montrose, but also by the Act of Glasco, they were made lyable to the censure of the Generall Assemblie. Yit are they never called to account, but passed over with silence, and countenanced in their usurped authoritie. This part of the act is omitted in the ratification; for which omission, our pretendit prelats, as for unfaithfull dealing otherways, are comtable. Heir is to be observed, that the convention holden at Glasco supponed there wold be a Generall Assemblie holden ordinarilie, at least, once in the yeere, as was expreslie craved, and certanlie looked for; otherways, it had beene follie to make the bishops subject to the censure of anie assemblie, the holding wherof was not certaine. Wherupon it is to be presumed, that that convention intendit not to give the bishops anie power, unlesse there were Generall Assemblies holden ordinarilie, to take account of their proceedings, and to censure them. Which not being observed, it followeth, that they can claime no power or authoritie by the convention holden at Glasco.

By the Act of Glasco the bishope may not depute another to moderate the diocesan synode; but by this ratification of the act he may.

Noe mention was made of collation of benefices in the Act of Glasco; but onlie of presentations, or sute otherways made to the bishope, by anie that was to be admitted, and of ordination efter triall. But by this ratification, presentations to benefices are to be directed to the archbishope or bishope, and power given to him

to give collation, and to dispone and conferre benefices fallen in his diocie, *jure devoluto*.

By the act of parliament ratifying the Act of Glasco, in case the bishope refuse to admitt anie qualified persone presented to a benefice, the patrone or paroche may complaine to the archbishope; and if the archbishope doe not redresse, the Lords of Session and Councell may direct letters of horning to charge the ordinare to doe his duetie. But noe power was given by the convention holden at Glasco to one bishope, to redresse the complaint made upon another bishope, nor anie mention of archbishops.

In this ratification, it is declared, that if the person presented reserve to himself and to his successors a sufficient maintenance, answerable to the estate of his benefice, the setting of tacks, or promise to doe the same, or doing anie thing els to his patrone, not prejudiciall to the forsaid maintenance, sall no ways be ascribed to anie Simoniacall paction, nor sall not serve for anie reasone to the archbishope or bishop to refuse him; and the Lords of Councell and Session sall be judges, to decide upon the said Simoniacall paction, and qualitie of the same, if anie such thing sall be objected against the partie presented. So, what the Lords of Councell and Session sall think a sufficient maintenance, sall be accounted sufficient, and Simonie sall be accomted noe Simonie. Noe such thing in the Act of Glasco. Are not then the bishops consenting to this act weill worthie to vote in parliament in name of the kirk?

By the Act of Glasco, the bishope is to requyre the ministers of the bounds where the persone presented, or suting admission to the ministrie, is to serve, to certifie by their testificate, his conversation past, abilitie, and qualification for the function, and therupon to take farther tryall; and finding him qualified, and being assisted by such of the ministrie of the bounds where he is to serve, as he will assume to himself, he is then to perfyte the whole act of ordination. But this order of proceeding is left out in the ratification.

The forme of the oathe of obedience to the ordinarie at the admission of a minister was not conceaved at that convention holden

at Glasco, as it is in the act of parliament; nor yit, that the persone presented by a laick patrone sall sweare, that he acknowledgeth and confesseth to have and hold the benefice and possession of the same, under God, by his Majestie, of the patrone. By the Act of Glasco the minister, at his admission, is ordeaned to sweare that the king is the onlie lawfull supreme governour of this realme, als weill in things temporall as in conservation and purgation of religion. But insteade of the words, "conservation and purgation of religion," other words are placed in the ratification, to witt, "maters spirituall and ecclesiasticall."

By the Act of Glasco it was providit, that in case the bishope sall be found to have stayed the pronouncing of the sentence of excommunication or absolution, against or in favors of anie persone, the processe being tryed to have beene lawfullie deduced, and he convicted in the Generall Assemblie for the same, that advertisement sall be made to his Majestie, to the effect another may be placed in his rowme. But by the ratification of the act, he must be answerable onlie to God and his Majestie for all formall and impartiall proceeding theranent. So where mention is made in the Act of Glasco, of subjection to the censure of the Generall Assemblie, of conviction, and tryall of their proceedings in the Generall Assemblie, there is noe mention at all in the ratification.

By the Act of Glasco none sould be elected bishop who is not past the age of fourtie years, and has not beene an actuall teaching minister the space of ten yeers. But that part is left out in the ratification.

By the Act of Glasco the exercise of doctrine is to be continued weekelie, at the tymes of their accustomed meetings. This part of the act is left out in the ratification.

The bishops consenting to these omissions and additions without the consent of the Generall Assemblie, wherto they were tyed by the caveats, betrayed not onlie their perfidie, but also their insatiable desire of absolute jurisdiction, and to be exeemed from all censure; for the which they are countable to God and this his kirk heer in earth. But we are to stand to the acts of the kirk in kirk maters.

THE MARIAGE OF PRINCE PALATINE.

About the tyme of this parliament, the prince, Count Palatine of the Rhene, repaired with ane honourable traine to England, for solemnizing the mariage betuixt him and the king's daughter, Ladie Elizabeth, conforme to the agreement made before. For the solemnities I refere the reader to the English chroniclers, who could best observe.

QUEENE MARIE'S CORPS TRANSPORTED TO WESTMINSTER.

Upon the 7th of October the king caused transport his umquhile mother's corps, who was beheadit in Februare, *anno* 1586, out of the kirk of Peterborough in England, where she was obscurlie buried, to Westminster in London, where she was buried of new, amongst the rest of the princes, and a magnificke tombe buildit above her. There was not seene for manie yeers before the like tempest of cloud and raine upon the sea coast of England and Flanders, as was seene that day. There died upon the coast of Flanders and England about eight thowsand persons; the most part poore fisher men, the rest other sea-fairing men, merchands, and trayvellers.

PRINCE HENRIE'S DEATH.

About the second of November the king's eldest sone, Prince Henrie, tooke sicknes, and departed this life upon the seventh of November, not without suspicion of poyson. It was bruted that he was poysoned with certaine graipes, presented to him by a foole immediatlie efter he came hote from his pastyme in Whitchapell. This prince was of good expectation, and deirlie beloved by all the sincere professors of the true and pure religion, and therefore was his death dolorous to them, but not verie greevous to the Papists or Formalists. The Chancellor, the Bishope of Glasco, Mr Johne

Spottiswode, and some others, were sent by the councell to condole. But before they came to Newcastle they were commandit to returne, by a letter sent from the king; wherat manie wondered. It was alledgit that the king had begunne to relent of his greefe, and that the sight of the Scottish subjects wold but augment his greefe. Some thought it was done to disgrace the chancellour; and that it was procured by the Bishope of Glasco, who was in his companie. The Bishope of Glasco returned, for obedience, as the chancellour did; but efter he had stayed ten or twelve dayes he went up to court.

BURLIE DISGRACED.

About the same tyme, there came a warrant from court to the Lords of Secrete Councell, to forbid the Lord Burlie, who was one of the councellours, and upon the chancellour's faction, to repaire to court, or to come to the Councell of Scotland, till his Majestie's pleasure were farther declared. Burlie, when the chancellour returned in maner forsaid, being in his companie, went forward to court, not doubting to procure favour and credite, both to himself and the chancellour. But he was debarred from the king's presence; and efter he had waited on eight weeks or therby, was directed to returne to Scotland; and soone efter, to prepare himself to pas to Irland, to remaine there during the king's pleasure. The commoun people was weill content, not onlie becaus he was a Papist, but also becaus he was ane oppressor; for he sought commissiouns of the king to putt diverse penall statutes to execution; speciallie for taking more annuall than ten for the hundreth.

COMMENDATION OF PRINCE HENRIE.

In the beginning of December, sundrie epitaphs were made in praise of Prince Henrie, and not without reasone, for he was both wise and valorous. He had great intelligence with princes, noblemen, and great men professing the truethe everie where; but

copied their letters with his owne hand, and left out their names. So, when he was dead, the wryters of the letters could not be knowne. He had bought three thowsand stand of armes, and layed asyde everie yeere eight or ten thowsand pund, noe doubt for some great enterprise. He was buried upon Monday, the 7th of December, with great pompe and magnificence.

M.DC.XIII.

THE BISHOPE OF ARGYLE'S DEATH.

About the midest of Januar, the Bishope of Argyle died of a cancer in his face.

THE MARIAGE OF LADIE ELIZABETH.

Upon the 14th of Februar, the Lord's day preceiding Fastings Even, the mariage betweene the Count Palatine and the king's daughter, Ladie Elizabeth, was celebrated with great solemnitie, to [the] great contentment of the professors of the true religion.

THE MINISTERS OF EDINBURGH RASHE VENTERS OF UNTRUETHS.

In the beginning of Marche, Secretare Hammiltoun informed the ministers of Edinburgh, that the Pope had excommunicated the king; wherupon the ministers, readie to flatter the court, and please the king, informed the people. But it proved a lie, invented onlie to grace the king; for upon the 12th of Marche, the Bishope of Glasco returned from court to Edinburgh, and reported that the king was not excommunicated; but the Pope had ane intention to have done it, but was stayed by his cardinalls.

A COURT OF HIGH COMMISSION.

Mr William Couper and Mr Andro Lamb went up to court in Aprile. All the bishops except these who went to court, the Bishope of Aberdeene, who was deadlie sicke, and the Bishope of the Iles, ane aged man, conveenned, to hold a solemne court of the commission in St Andrœs. They were interteaned by Bishope Glaidstanes in the castle, which he had repaired, and wherin now he was dwelling, where before, he dwelt in a lodging in the toun. It was his custome to ryde on a horse with his footmantle to the kirk, when he preached, and to the meetings of the kirk.

PRINCE PALATINE'S DEPARTURE OUT OF ENGLAND.

About the midest of Aprile, Prince Palatine and his ladie went out of England, toward the palatinate. She stayed twentie dayes in the States' dominions, efter his departure from thence, and was weill interteaned by them.

MAXWELL'S EXECUTION.

Upon the 21st of Maij, the Lord Maxwell was beheadit at the Mercate Crosse of Edinburgh, betuixt thrie and foure efternoone. He died confortles, having none of the ministrie present to pray for him, or to make exhortation to him or the people. He desired them not; neither was he content to receive information from them touching his religion. This execution was procured by the Laird of Jhonston's freinds, speciallie by Sir Robert Ker, Erle of Rochester, the cheefe guyder of the court at that tyme. Papists, nevertheless, tooke boldnes to professe their religion in sundrie parts of the countrie; for it was weill knowne to them that Maxwell suffered not for his Papistrie. There was a masse the same moneth in Edinburgh, in James Stewart's house, which was called James of Jerusalem. The preest and the said James fledd. Sundrie of

the companie were taken and wairdit; James of Jerusalem [was] efterward wairdit.

BURLIE WAIRDIT.

Burlie was called before the councell, and wairdit in the Castle of Edinburgh, for appealing the Lord Scoone to the single combate, howbeit he was under law-burrowes.

CASSILISSE AND CREIGHE WAIRDIT.

The Erle of Cassilisse, and the young Laird of Creigh in Fyfe, both Justicers of Peace, were called before the councell, and wairdit in the Castle of Edinburgh, for ryott alledgit committed by them in the execution of their office. The Justicers of Peace were offendit, becaus they perceaved the councell and noblemen crossed them in the execution of their office. The noblemen, indeid, thought that this new office impaired their credite and freindship in the countrie.

LORD WALDOUN'S INTERTEANEMENT IN THE COUNTRIE.

The Lord Waldoun, sone-in-law to the umquhile Erle of Dumbar, came to this countrie in the midst of August, and was weill interteaned by our noblemen so long as he stayed.

THE BISHOPE OF ROSSE CONSECRATED.

Upon the first of December, Mr Patrik Lindsay, minister of Saint Vigans in Anguse, was consecrated bishop in Leith, and succeedit to Mr David Lindsay, Bishope of Rosse.

ONE OF THE KING'S SHIPS BURNT IN LEITH RADE.

Upon the tenth of December, one of the king's great ships,

which had lyen heere in Scotland sixe weeks before in the rade of Leith, reddie to sett furth on the morne and to returne to England, is sett on fire about the twelve houre of the day by ane Englisheman; the samine wilfullie, and upon a madde humor, who had layde traines of powder through the ship, when they were threescore men or therby, and his owne sone in the shipp. But the captane, George Wode, and some few with him, were on land. The shipp and her whole provision was brunt; onlie the bottome with some of the munition were safe. Twentie-foure of the men were brunt or perished in the sea; the rest were sore mutilated and lamed, notwithstanding of all the helpe could be made. The fyre made the ordinance to shoot, so that none durst come neere to helpe.

MR GAVINE HAMMILTOUN HIS DEATH.

Mr William Cowper succeedit to Mr Gavine Hammiltoun in the bishopricke of Galloway. Mr Gavine forsaking his pastoral charge of the kirk of Hammiltoun, was not content to imbrace the bishopricke of Galloway, as it had of old annexed the abbacie of Tungland, but procured a new annexation of other two benefices, the abbacie of Glenluce, and priory of Quhitterne. Thus became he a bishope, a double abbot, and a prior. After he was invested, seldome did he preache. In the diocesan synode he held last before his death, he was requeisted by the ministers to amend, and to take him to a particulare charge. He confessed his offence in not preaching, but refused to undergoe a particular charge. When feir of grosser corruptions to proceid from their estate was objected to him, he acknowledgit there was just caus to feare; saying, "Ye count these corruptions great, but who lives sall sie grosser than these." When Mr Gilbert Powre, a brother of the ministrie of Galloway, modestlie refused a carowsse offered by him, he abused him in presence of other ministers, plucking his hatt from his head in his furie, and casting it upon the ground. He dispensed with the mariage of a gentleman in Galloway, named Nivene Agnew of

Mais, having his first wyfe alive, notwithstanding that the brethren of the ministrie in open synod oppouned unto it as a perillous preparative, tending to the overthrow of discipline in that rude diocie, and to open a port to adulterers. When the mariage of his daughter upon Campbell, Bishop of Argyle, was solemnized at the Abbey of Glenluce, where he keeped his residence for the tyme, he vomited like a beast at the banket.

MR WILLIAM COWPER MADE BISHOP OF GALLOWAY.

Mr William Cowper succeiding to him, was not content with that clustering of beneefices together which had beene purchassed by his predecessors, but laboured for the annexation of the Chappell Royall to the former foure benefices. After he had accepted the bishopricke, he sett furth ane apologie in print to purge himself of covetousnesse and ambition, and gave reasons wherefore he changed his mynd in some things concerning kirk governement. Sundrie answered him in writt, becaus the presse was not patent to them as to him. He was so vexed with answers, that he cast some of them in the fire before he looked upon them. Yitt Mr David Hume of Godscroft pressed him with a reply to his answer; wherupon he sett furth his Dikaiologie, wherin he omitteth what he thought good, and answereth onlie to suche passages of Mr David's answers as pleased him. Wherupon Mr David wrott ane ample rejoinder to his Dikaiologie soone after, but never printed, becaus the gentleman wanted the commoditie of the presse. The more that Mr Cowper laboured to purge himself, and to give reasons for his change, the more he opened the mouths of men to speake of him as he deserved. None fracker against the estate of bishops in the purer tymes than he; none now fracker for the present course and corruptions of the tyme than he. The old saying, *Omnes apostata esto sors sui ordinis*, was verified in his persone. Whill he lived, he continued a non-resident, sometymes not once in two yeers visiting his diocie; and made his residence at the foote of the Canongate, that he might be neere to the Chappel

Royall, where he preached as Deane; neglecting his diocie, wherin he ought to have preached as a bishop. But we will have occasion to make farther mention of him in the progresse of this Historie.

LIBERTIE TO THE CONFYNED WITHIN THE DIOCIE OF GLASCO.

Upon the 9th of Februar, libertie to the confyned ministers within the diocie of Glasco was proclamed at the Crosse of Edinburgh, purchassed, as was declared in the proclamation, by the Bishop of Glasco, to repaire to synods and presbyteries; but becaus it was granted onlie but upon condition, to witt, upon assurance given to his Majestie, that they wold heerafter carie themselfs in that duetifull obedience which they ow to his Majestie, and with that respect which becomes them towards their superiors in the church, George Johnstoun, minister at Ankrome, and Mr David Calderwode, minister at Crailling, could not gett the copie of the proclamation a long tyme efter.

Mr Andro Duncane, somtyme minister at Caraile, efter eight yeirs exile, for holding the Assemblie of Aberdeene, and declyning the king's councell, putt up this supplication following for his releefe; wherupon he obteaned libertie to returne to his native countrie, where he remained a constant defender and maintainer of the established discipline, and puritie of God's worship, to the end of his life, notwithstanding of all the troubles and miseries he susteaned before, by long imprisonment, and the exile of manie yeers:—

"Most Dread Soveraigne,—Please your royall Majestie, vouchsafe a gracious eare to me, your humble supplicant, lifting up my hands to heaven day and night to Him who possesseth heaven and earth, for your gracious Majestie's weilfaire, estate, raigne, and royall posteritie; who these manie yeers past, partlie by strait imprisonment, and partlie by greevous banishment, have beene depryved of the libertie of your Majestie's kingdome, and my native countrie; beseeke your Majestie most humblie, on my knees, that now, at length, it wold please your gracious Majestie,

according to your accustomed clemencie, to vouchsafe to relent your Majestie's displeasure against me, and to grant me your Majestie's peace, in whom allanerlie, the perswasion of your Majestie's clemencie, extendit to these often tymes who has wrought your Majestie no small displeasure, has imboldned to undertake so farre a journey, both wearisome and expensive, to offer this humble supplication to your gracious Majestie; hoping that the great Lord, whose image and person your Majestie represents heere on earth, will be effectuallie present with your Majestie; and not permitt your royall Majestie to frustrate my expectation, or dismisse me from your Majestie's presence with mater of a heavie heart; having come so manie hundreth myles, upon no small charges, all to begge your Majestie's peace.

"As to these proceedings which wrought your sacred Majestie such displeasure, my purpose is not absolutlie to stand to the justifying therof, being sorie I sould have done anie thing which might offend my deare Soveraigne, the Lord's anoynted, whom I serve in his glorious Gospell. Certainlie I was perswadit at that tyme, that these things for which I have lyen so long under your Majestie's indignation, were not contrarie to your Majestie's pleasure; and, therefore, doubt not but your Highe Majestie will esteeme this simplicitie of myne to have beene punished sufficientlie, both by imprisonment and banishment these eight yeers and more. The thing which for the present I most humblie begge at your Majestie's hand, for that Lord's sake whose Lieutenant your Majestie is, allanerlie, is your Majestie's peace: for as to my native soile and aire, the enjoying therof is not so deare to me, I protest, (although indeid verie deere and desired,) as that I wold desire it, or anie thing els, but according to your Majestie's good pleasure: protesting, in the meane tyme, and promising with all duetifull and humble obedience, by God's gracious assistance, to be, and continue to the end, ane obedient, true, and affectionate subject to your royall Majestie; submitting myself in the Lord to whatsomever thing your Highness' Majestie sall please to injoyne me.

"So, after my most humble and heartie supplication to the

Most High, the King of kings, for your Majestie's estate, weilfaire, and royall persone and posteritie; and after most earnest begging of your Majestie's most confortable answer; I end, with all lowliness, on my kness, vowing to be, and continue, by God's grace,

"Your Majestie's most humble, obedient, and weill affectioned subject, and daylie oratour, from my heart, as evermore I have beene, to my life's end,

"A. D.

"Presented the 1st of Julie, 1613."

In what case Mr Robert Bruce was in the meane tyme, we may collect out of his letter directed to Sir James Semple, Laird of Belvise, in the moneth of Februar, the copie wherof followeth:—

"Right Honorable Cousine,—Ye must give me leave to utter my freindlie counsell against you. To what purpose sould ye and Mr Peter Ewart have put me in esperance of libertie by your letters? Of yours I saw onlie one, and I have foure of Mr Peter's assuring me of ane confortable ishue. And in trueth, I gave such credite, and was so certainlie perswadit by him, that I sent home my wife and children, and spoiled myself of all my outward conforts, and exponed myself in the extremitie of the seasone in a cold lodging in thir miserable and barbarous parts, that I have almost extinguished both my vitall and sensitive spirits. Why wold ye not signifie his Majestie's will plainlie unto me or to Mr Peter either? His Majestie's pleasure wold have beene a law to me. Yea, if his Hieness wold command me to the scaffold, I have a good conscience to obey him, and it wold be more welcome to me nor this lingering death that I am in. The tyme has beene, I have done his Majestie acceptable service, as his Hieness owne hand writts beside me will beare record; whilk I sall leave to my posteritie as their rairest jewells. I thanke God I was never within the compass of a law, and yitt I am war[1] used nor either

[1] Worse.

Papist or Atheist; always I crave noe more of you but a Christiane duetie; as I prayed you in my last letter so will I now. Feed me not with anie complements: the worst sall ay be welcome to me by His grace who susteans me wonderfullie. I am a man that has tasted of manie afflictions, and I wait not who crosses me; but be it Papist or Atheist, bishop or minister, I will lay over all my vengeance where it belongs. As to my prayer in the end of my last letter to his Majestie, I heare by Mr Peter Ewart that I was quarrellit as if I had prayed for reconciliation in that particular. Indeid, if it had beene so conceaved, I might have beene justlie quarrelled; but the Lord knowes the contrare is most true. I had no more mynd of that treasoun at that tyme nor the bairne that is yitt unborne. As to the rest of my faults ye make in my other letters, they are but bairnlie; for suppose I wrott to you with my owne scrubbing hand, yit it is not worthie to present his Majestie. I waille[1] the best hand that I can gett; and for the omission of my subscription, what mervaile, seing I wrott not the bodie? And yit, the wrytter therof constantlie affirms that I *subscryvit*, whilk makes me to think that ye have not receaved my closed letter to his Majestie, but the copie therof which I directed to yourself to be perused, and not to be presented except ye know it wold not offend. I pray you, cousine, if ye delite in my conversation, let the effect declare it: let me find the fruict therof; and if ye be not able, let me be in no war case nor I am in by your deid, for that were needless. Suppose ye have gottin new freinds, men, I grant, that are more able to profite you in your outward estate, yet I will looke that ye will observe a Christiane duetie toward me. So, wishing you heartilie weill in the Lord, I take my leave, and rests,

"Your most loving cousine to his power in God,

"Mr Robert Bruce.

"Innernesse, the 10th of Februare, 1613."

[1] Select.

M.DC.XIV.

SONE BORNE TO THE PALATINE.

Ladie Elizabeth, spous to the Palatine, was delyvered of a man chylde the first of Januar. Upon the 14th of Januar, according to the king's direction, the canons of the Castell of Edinburgh were shott, and the bells runge in signe of joy.

THE DEATH OF MR JAMES MELVINE.

Mr James Melvine, after he had suffered sevin yeers exile onlie at the king's mere pleasure, endit his days at Bervick in the place of his confynement in England. His disease ceased upon him when the Bishope of St Androes sent for him to Edinburgh to conferre upon the conditions of his home coming; for while he was in his journey, he was forced, through the alteration he found in his bodie, to turne backe againe. The paine of his disease was greevous and vehement, arising (as the doctours affirmed) from a hudge quantitie of teugh humours gathered together in his side in the forme of ane aposteme, wherin the melancholicke humour was predominant. Sundrie things were assayed for purgation both above and under, which procured intermission of paine, but not full cessation. He apprehendit death himself, and acknowledgit that he could not die in a fitter tyme if God thought it good. The reasons of his contentment were, first, exemption from sinne and paine: for this purpose he cited 1 Cor. ii. 5. The nixt was the testimonie of a good conscience, and keeping fast the truthe without a breache, notwithstanding of sundrie tentations. He often rejoyced in that speeche of Paul, 2 Tim. iv. "I am now readie to be offered up," etc. The thrid was, that at his death he confirmed the cause for which he suffered to the conscience of the godlie, rejoycing with the apostle, Philip. ii., to be offered up in a sacrifice for their faith. The fourth

was the sight of the face of God in glorie. His onlie refreshement and releefe in the extremitie of his paine was pitthie prayer, both night and day, with manie teares. After he had begged mercie and comfort to himself, he ever remembred the kirk in generall, and in particular the Kirk of Scotland, applying the speeche of Christ unto her, "O, if thou had eyes, to see the things that belong to thy peace!" He prayed for repentance to so manie of the ministrie as had made a shisme in the kirk, by ranversing that forme of governement which once, upon the warrant of God's Word, was established with uniforme consent, and wherewith the kirk, for the space of manie yeers, was happilie ruled. He ever remembered his fellow-sufferers, and named them by their owne names in particular to God in his prayer. He was subject to sundrie swarfes and swounds, which he himself called the forerunners of death.

Upon Wednisday, in the morning, the 19th of Januare, he continued so long in a swairfe that the beholders looked not for recoverie. Yitt God blessing the meanes that were used, he revived, and he said to them he was weill if they had lettin him alone. Seing the time of his departure did draw neir, he resolved to put his hous in order; called on his children, who were all present except one: and lifting himself up both in bodie and spirit in the bed, appointed his eldest sone to be in his rowme as a father to the rest, and left everie one a pledge of his fatherlie care and affection. He had a speeche to everie one of them. To Ephraim he wished the blessing of Abraham, Isaac, and Jacob, saying, "God make thee as Ephraim; that is, answerable to thy name, fruictfull in good works of all sorts." To Johne, that he might be gracious in the sight of God and man through God's grace. To Isabell, that she might follow the footstepps of her mother in godlines, vertue, and all comlie behaviour. To Anna, humilitie and meeknes; and that according to her name she may insinuate herselfe in the acceptation and love of all.

After he had blessed his children, he remembered the kirk and the king with teares, uttering these words, "The Romishe Hierarchie will shortlie undoe the religion in Scotland. I pray the

Lord open the king's eyes that he may see it, and grant him grace to amend it. In my life I ever detested and resisted it as a thing unlawfull and antichristian, for which I am heer in exile; and now, I take you all to witnesse, that I die in that same judgement." He called to remembrance all his deere acquaintance in Christ, and namlie, his loving uncle Mr Andro, to whom he gave a honorable commendation for his literature, but much more for his sinceritie and curage in the caus of Christ; which he besought the Lord to increase and continue to the end. He remembered affectionatelie some gentlemen of Angus to whome he was obliged, and some of the ministers of Fyfe and Lothian and the Marche, and some gentlemen in the Marche, to whom he acknowledgit himself obliged. He prayed earnestlie for his owne particular flocke, and prayed earnestlie they might use the occasion well which they had for the crowning of that worke which God had made him ane instrument to beginne and prosecute. After he had blessed the toun of Bervick, thanked the doctour for his paines, remembred some of his acquaintance at London; he thanked God for the constancie of the banished brethren, and prayed for perseverance to them to the end. After these his speeches, he desired Mr Durie the minister to conclude with a prayer, which he did.

The rest of that day he passed over somtymes in rest, as seemed to the beholders, and sometymes in paine. About sixe of clocke at night the Laird of Aitoun, a worthie gentleman, one of his deere acquaintance, came to visite him. He was so affected with his comfortable speeches that he stayed with him all that night. Walkening out of his sleepe about nyne hours at night, [he] found his paine increasing and his strenth decreasing, wherupon he was tempted with a feare of impatience, and desired his wyfe to call for the Laird of Aitoun, and the doctour, Mr Durie. He desired the doctour for Christ's sake to use some meane to quenche the paine, for he was unable to byde it. The doctour answered, he had used all the meanes that the witt of man have devised; there was not remeed but patience, which, said he, "God must give: ye must crave, and we will helpe you." With a heavie sighe he sayeth,

"Lord grant me it;" and desired them to fall doun on their knees to begge it. After the minister had ended the prayer, he cried out with David, Psalme xxxix., "Take away thy plague, for I am consumed with the stroke of thyne hand:" and with Job, "Albeit thou wold slay me, yitt will I trust in thee." Being overmaistered with the paine he fell over in a quiet sleepe.

About one of the clocke at night, he walkened, and said to his sons, "I feare my owne weakenes: take heid to me, for I cannot last long: goe walken the laird, the doctour, and Mr Durie." He told the doctour that the paine had flitted from his side and backe, and was come to his heart, saying, "*Palpitat cor.*" The doctour replyed, that was a tokin his battell was neere ane end. Then he cryed out with Simeon, "Lord, lett thy servant depart in peace: myne eyes have seene thy salvation; a light revealed to the Gentiles, and the glorie of Israel," (Luke ii.) Then he said to the minister, "Good Mr Durie, give me the last good night: commend my soule and bodie in the hand of God, my Redeemer." The prayer being ended, he comforted himself with sundrie passages of the Psalmes, which he rehearsed in Hebrew; as namlie, that passage of the 4th Psalme, "Lord, lift up the light of thy countenance upon me;" and the 27th Psalme, "The Lord is my light and my salvation; what can I feare?" and of the 23d Psalme, "Albeit I walked through the valley and shadow of death, yit will I feare none evill, becaus God is with me." When the candle, which was standing behinde his backe, was sett before him, he said, "Light aryseth to the righteous in the midst of darkenes," (Psalme cxii.) "The Lord will lighten my candle; he will lighten my darknes."

For the space of two houres, he was so vexed with paine at the heart, that he had nae speeche, bot gave ever a demonstration and signe with his hand, in token of his joy and feeling, when anie comfortable sentence of Scripture was uttered to him. When these words, (John xiv.,) were uttered, "Let not your hearts be troubled; ye beleeve in God," &c., he lift up his hand to the heaven. When mention was made of the fyve virgins that had their lamps in readines to meete the bridegroome, he put his hand

to his heart, and chopped upon it thrise. When he was putt in remembrance of Paul's words, Romans viii., "Who sall separate me from the love of God? sall principalities, or powers," &c., he turned the backe of his hand to them all, and rejoyced in this, that he sould be more than conquerer through Christ that loved him. Feeling the paine to worke upward, and his eare to faile him, that he heard not so well as he did before, he cryed out, when they thought power of speeche had left him, poynting his hand to his eare, "He is heere, he is heere!" meaning death: "welcome, welcome! I am sure now I sall not goe backe againe." Being asked if he were desirous to turne backe, he answered, "Not for twentie worlds;" comforting himself with these words, (Psalme xxxvi.,) "How excellent is thy mercie, O Lord! therefore the children of men trust under the shadow of thy wings. Thou feeds them with the fatt things of thy house, and giveth them to drinke of the rivers of pleasure; for with thee is the well of life." Being remembred of Paul's ravishing up to the thrid heaven, and of the glorious revelations he gott there, he said, Everie one was not Paul; yitt he was assured to be filled with glorie. When he called to his rememberance how Steven saw the heavens opened, and Christ standing at the right hand of God, he prayed Steven's prayer, "Lord Jesus, receave my spirit." When anie passage of the Canticles was read, he was much refreshed, for he had diligentlie perused that part of Scripture, paraphrased it, and turned it into metre.

After this maner was the morning putt off, his breath drawing up continuallie in als great sofines and quyetnes as he had paine before. When they thought all his sense had failed, becaus he lay so still, his sone asked in his eare: he answered, not without great difficultie, he was singing the song of the Lamb. They craved of him the last signe of his inward joy and reddiness to depart: cheerfullie he lifted up both his hands, and said, "Sweet Jesus, receave my spirit." After these words, he never stirred, but sobbed softer and softer, till at lenth he surrendered the spirit, and that so peaceablie and insensiblie, that none could perceave.

Thus endit that faithfull servant of God, Mr James Melvine, his dayes in exile, after he had spent a great part of his life in the service of God, and suffering for the truthe. He was one of the wisest directours of kirk affaires that our kirk had in his tyme, and for that caus, was ever imployed by the Generall Assemblies, and other publick meetings appointed by the king and the Generall Assembleis. He acted his part so gravelie, so wiselie, so calmelie, that the adversarie could gett no vantage; yitt the king being bent to perfyte that worke which he had begunne, of the advancement of the estate of bishops, called him up to court, noe doubt by the instigation of the aspyring prelats, but suffered him never to returne backe againe to his owne native countrie, least his presence and action sould be anie impediment to his designes. Thus was the man of God exiled, and deteaned in a forreine countrie, without conviction of anie cryme, but onlie for feare of these good parts that were in him. Of his manie imployments in kirk effaires, yee may read in the preceiding storie.

THE ENGLISH PARLIAMENT REFUSETH SUBSIDIE.

The king urged a taxation in the parliament of England to releave him of his debts, which amounted to seventeene hundreth thowsand punds stirline. The taxation was refused, and some sharpe speeches uttered which touched his cariage and governement, and some that had cheefe credite about him; wherupon the king brake up the parliament, committed the cheef speakers to the Towre. Soone efter arose, that the Scottish people sould have beene murthered in tyme of the parliament. In the meane tyme, the Erle of Northamptoun, the king's counterfitt convert, and sone to the old Duke of Northfolke, preferred by the king to great offices, departed this life. It was suspected that he poysoned himself for some treasonable attempt wherunto he was privie.

EASTER COMMUNION COMMENCIT.

Upon the fourth of Marche, the ministers were commandit by proclamation, with sound of trumpet, at the Crosse of Edinburgh, to prepare the people for the Lord's Supper, and to minister it to them upon Easter day, the 24th of Aprile. The people likways were commandit to communicat that day at their owne paroche kirks. The pretence of the charge was the tryall of Popishe recusants; but the true intent, as the sinceerest sort interpreted it, was to try how the people wold beare with alterations and innovations in the worship of God. The most part obeyed, but not all.

THE KING OF DENMARKE COME SECRETLIE TO COURT.

About the 23d of Julie, the King of Denmarke arryved at Yarmouth unlooked for, and went post to court, accompanied onlie with one other, and was at his sister's, the queene's chamber doore, before he was knowne to be in the countrie.

The Earle of Orkney being wairdit in the Castle of Dunbartane, his naturall sone, Robert Stewart, assembled eight or nyne score dissolute men, took sundrie strengths in Orknay, went in to the cheefe toun Kirkwall, fortified the steeple and the castle, ceassed upon the king's girnell, intrometted with mailes and dueties, and did what they pleased. The Lords of Secrete Councell directed the Erle of Cathnes, as the king's lieutenant, against them, upon the 13th of August, and appointed the thesaurer to furnishe all things necessar. The erle craved onlie two great canons, powder, and bullet, and threescore souldiours, to be sustained upon the king's charges. So two great canons were mounted, and brought out of the Castell of Edinburgh to Leith, where two shipps were outrigged for transporting them and Caithnes his companie. Caithnes appointed his owne freinds and dependers to meete him in Orknay. They landit upon the 23d of August, within a myle and a halfe to Kirkwall, and intrenched themselfs. Manie repaired to

the earle efter they were charged by proclamation to assist him as lieutenant. As they were marching forward to Kirkwall, the rebells, to the number of fyve hundreth or therabout, went out to encounter them; but being hotelie persued they retired, some to the toun, some to their owne strengths, and deserted the said Robert. The erle planted his canons, and shott at the castle of Kirkwall and the steeple, and were answered againe by shotts out of the castle. Upon the 14th of September, foure of these rebells that were in the steeple went furth to speeke with the erle, but were apprehendit and sent to Edinburgh. All rendered upon Michaelmas day, the erle promising to solist for their lives. The two canons were brought up the streete of *Edinburgh*, and the keyes of the castle of Kirkwall about their mouths, with sound of drummes, trumpets, and shotts of ordinance of the castle, upon the 23d of November, and layde in their owne places within the castle. The castle of Kirkwall was demolished at the king's command.

REBELLION IN ILA.

About the same tyme, there was some commotion in the West Iles, speciallie in the ile called Ila, raised by the Clandonald, who tooke the castle of Dunmevege, and expelled Mr Andro Knox the Bishope of the Iles' servants. The bishope went to the ile with sindrie gentlemen and freinds, and offered a remission in the king or councel's name; but they refused to render unlesse the bishope wold procure them confirmation of their rights to their rowmes and lands in Ila, which they heard some were seeking from the king; and wold have pledges from the bishope, to witt, his owne sone and his cheefe the Laird of Ramfurtie; threatning otherways to kill the bishope and all that were with him. So, for feir of their lives, they delivered the pledges, and the bishope sent up advertisement to the king with post.

THE ARCHBISHOPS APPREHEND SOME PREISTS.

About the beginning of October, Mr Johne Ogilbie the Jesuite was apprehendit in Glasco. He had seduced sindrie young men, and of the better sort of the people, and said masse in sindrie places within the towne. When the bishope challenged him for his hardines, he answered, that he hoped to have more friedome ere it were long; wherupon the bishope buffeted him. About the beginning of November, the Bishope of St Androes' sone, Mr Alexander Glaidstanes, apprehendit Moffet, a masse preist, at St Androes, who was presented before the Lords of Secrete Councell upon the 10th of December, and was wairdit in the Castle of Edinburgh. Some thing the bishope behoved to doe against Papists for honestie's sake, least they sould seeme to be advanced, to persecute ministers professing puritie of discipline and God's worship.

In the beginning of December, sundrie brasen peeces brought from the Castle of Kirkwall to Leith, were brought from Leith to the Castle of Edinburgh.

OGILBIE AND MOFFET EXAMINED.

Upon the 6th of December, threttene or forteene of the inhabitants of Glasco were convicted for hearing of masse, and resetting a masse preist, in court holden by the bishope, and thrie of the Secrete Councell, who had gotten commission at the king's direction to try. The brute went, that they were to be beheadit, drawne, and quartered; but they were in noe danger. Ogilbie the Jesuite was brought to Edinburgh, and examined by the bishope, and some of the Lords of the Secrete Councel, to move [him] to confes where he had beene resett, where he had said masse, &c. He was not suffered to take sleepe some nights and dayes together. His braines being light, some secrets were drawne out of him, but came not to the knowledge of the people. Moffet

the preest was examined by the Bishope of St Androes and his associats.

M.DC.XV.

THE ERLE OF ORKNEY'S BASE SONE EXECUTED.

Upon the 6th of Januar, 1615, Robert Stewart, sone naturall to the Erle of Orkney, with other fyve of his complices, convicted of treasonablie taking, keeping, and defending of the castle of Kirkwall, and other strengths in Orkney, were hangit at the Mercate Crosse of Edinburgh, and died penitent. The said Robert confessed, his father the erle, who then was wairdit in the Castle of Edinburgh, commandit him to doe that which he did; but granted he gave him a contaremand before he entered in execution. The gentleman, not exceiding twentie-two yeirs of age, was pitied of the people, for his tall stature and comlie countenance.

COUNTERFITT DEALING AGAINST PAPISTS.

About the midst of Januar, a warrant was sent from the king, to fyne some of the resetters of Ogilbie the Jesuite, and hearers of masses in Glasco, and to banishe some others of them out of the king's dominions. About the end of Januar, the king sent doun a course to be used in trying of Jesuits, their resetters and hearers of masse. This seemed rather a hinderance to the execution of justice upon the persons presentlie guiltie, than to meane in earnest the repressing of Papists.

THE ERLE OF ORKNEY EXECUTE.

Upon the first of Februare, Patrik Erle of Orkney was arraigned in the Tolbuith of Edinburgh, and by ane inqueist of the nobles and barones was convict of treasone, for the late rebellion in

Orkney. It was thought, that if he had not twentie dayes before confessed that he was the author of the said rebellion, and come in the king's will for the same, that hardlie could he have beene convicted by anie law. The wiser and elder sort of the nobilitie withdrew themselfs from his assise. He had sent to the court to obtaine favour, but noe appearance of returning anie answeir. The ministers finding him so ignorant, that he could scarse rehearse the Lord's Prayer, intreated the councel to delay his execution some few dayes, till he were better informed, and receaved the Lord's Supper. Their petition was assisted with the requeist of some noblemen, and granted. So he communicate upon the Lord's day, the 5th of Februare, and was beheadit at the Mercate Crosse of Edinburgh upon Monday, the 6th of Februare. When Sir Robert Ker, Erle of Rochester, was decourted, the king layde the blame of his death on him; but too late, as his custome was, when maters was past remedie. It is observed that this moneth is fatall to the king's blood.

THE CASTLE OF DUMNIVEGE TAKEN.

About the end of Januar, the Laird of Caddell, assisted with ane armie of Hieland men, and two Englishe shipps out of Irland, furnished with canon, powder, and bullet, efter long treattie with the rebells of Ila, landit sixe peece of canon, and shott at the castle of Dumnivege. Anguse Ooge, the cheefe man within the castle, and forteene with him, came furth upon their owne hazard, and committed themselfs to the lieutenant's mercie. The rest preassed to escape by boates in the night; which when these that were in the shipps perceaved, one of the boates was sunke, and sevin swimming to land, were apprehendit, but the other boate escaped. Sundrie were slaine at the taking of the hous, both within and without: these that escaped were hardlie persued.

OGILBIE THE JESUITE HANGIT.

Upon the last of Februar, Ogilbie the Jesuite, one of the Ogilbies of the hous of Brunmure, was arraigned and pannelled before the Proveist and Bailies of Glasco, the king's judges in that part. At his examination before some of the counsell and the bishope, he being asked whither the king being excommunicate by the Pope, he might depose him, and loose his subjects from the oath of alledgance? answered, and subscribed his answeir with his hand, that he thought the king and his counsel noe competent judges to him in that mater, and, therefore, wold not directlie answeir to them touching it; but before the Pope, his ordinare judge, and his substitutes. For this his declinatour he was convicted in presence of sundrie noblemen appointed by the king to be present. He avouched boldlie that he regardit not the acts of parliament, or the king's authoritie, so farre as they were repugnant to the Pope's authoritie. Yit had he small courage when he came to the scaffold; died hartles and confortles; wold not commend himself to God, at the ministers' desire, but did it efter, at the desire of the hangman. Some interpreted this execution to have proceedit rather of a care to blesse the king's governement, than of anie sincere hatred of the Popish religion. Some deemed that it was done to be a terrour to the sincerer sort of the ministrie, not to decline the king's authoritie in anie caus whatsoever. He was the first preist or Jesuit that was execute since the bastard Bishope of St Androes was hangit.

EASTER COMMUNION INJOYNED.

A charge [was] proclaimed at the Crosse of Edinburgh, with sound of trumpet, fyfteene dayes before Easter day, to celebrate the Communion at Easter in all tymes comming. The king by his owne authoritie, without the advise or consent of the kirk, injoyneth kirk orders. The ministers of Edinburgh had ministred the Communion this yeer a litle before Candlemes.

About this tyme the brute went, that fyfteene or sixteene persons, to witt, Jesuits and their confederats, were come in this countrie to bereave the king of his life. But [it] proved a lie devised to grace the king.

MR G. GLAIDSTANES' DEATH.

Mr George Glaidstanes, Bishope of St Androes, departed this life in the Castle of St Androes on the 2d of May. Manie tymes before, becaus his face was disfigured, he had his night bonnet drawne doun to his nose. When the ministers of St Androes inquyred if they sould pray for him publictlie, he answered, it was not yit tyme. So he was never prayed for publictlie but the same day that he departed, and that was done without his knowledge. Unwilling was he to die, or to suffer anie honest man of the ministrie come neere him, either to walken his conscience or confort him. At the desire of his wife and children he subscrived some few lynes, wherin he approved the present course, to procure the king's favour to them. His fleshe fell off him in lumps. Notwithstanding of the great rent of his bishoprick, he died in the debt of twentie thowsand punds. This man was both ambitious and covetous. Papists and haynous offenders were winked at for bribes given to his servants and dependers. In his first diocesan synode of Fife he satt in pompe, with his velvet cushion before him, and his clerk, Mr Johne Mitchelsone, beside him. * * *

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MR J. SPOTTISWODE TRANSPORTED TO THE SEA OF ST ANDROES.

Mr Johne Spottiswode, Bishope of Glasco, returned from court the 10th of June, and went to Glasco, seeming altogether ignorant who had gotten the gift of the bishopricke of Sant Androes till one of his servants, waiting in Edinburgh upon the king's patent, sent to him to come in hast to Edinburgh. When he came he seemed to be miscontent, as desirous to remaine still in Glasco. But in

the meane tyme the gift passeth the seales, the tenor wherof heir followeth :—

"JACOBUS, &c.—Quia nobis motescit, archiepiscopatum Sancti Andreæ in manibus nostris per decessum quondam Georgii, ultimi archiepiscopi ejusdem, nunc vacare, ac Reverendum in Christo patrem, ac prædilectum nostrum Consiliarum, Joannem Glascuensem, Archiepiscopum, sufficienter qualificatum esse ad inserviendum nobis in publicis negotiis, status et ecclesiæ regni nostri Scotiæ; de cujus aptitudine et qualificatione ad hunc effectum, diversis hisce annis elapsis notitiam et experientiam habuimus: Igitur præfatum Reverendum in Christo patrem, a sede et archiepiscopatu Glascuensi, ad sedem et archiepiscopatum Sancti Andreæ, transportamus et transmittimus. Nec non damus et concedimus, durante omnibus vitæ suæ diebus, prædictum archiepiscopatum Sancti Andreæ, integrumque beneficium ejusdem, omniaque alia beneficia eidem annexata; cum omnibus et singulis terris, mansionibus, castris, turribus, fortalitiis, maneribus, hortis, pomeriis, molendinis, silvis, piscariis, annuis, redditibus, ecclesiis, advocationibus, donationibus, et juribus patronatuum, decimis tam rectoriis, quam viceariis, fructibus, redditibus, probentibus, emolumentis, feudifirmæ firmis, aliisque censibus, firmis, cañis, custumiis, commoditatibus, casualitatibus, annexis, connexis, partibus, pendiculis, et pertinentiis, hujusmodi quibuscunque, tam spiritualitatis, quam temporalitatis, ejusdem, ubicunque eædem sint et jacent infra dictum regnum nostrum Scotiæ; una cum jure, privilegio, et jurisdictione regalitatis liberæ, capellæ et cancellariæ omnibusque et singulis, aliis dignitatibus, honoribus, præeminentiis, immunitatibus, jurisdictionibus, et libertatibus, pertinen., et quæ pertinuerunt ad dictum archiepiscopatum, ullis temporibus præteritis, a prima fundatione ejusdem; et quæ possessæ et gavisæ fuerunt, seu possideri aut gavieri potuissent, per dictum quondam Georgium, Sancti Andreæ Archiepiscopum, aut aliquos alios suos prædecessores, virtute provisionum dicti archiepiscopatus, aliorumque beneficiorum quorumcumque eidem, per quibus annexatorum ipsis desuper confectis: Cum potestate præfato Joanni, tenendi, gaudendi, et possidendi,

dictum archiepiscopatum Sancti Andreæ, ac beneficium ejusdem, omniaque alia beneficia eidem annexata. Cum omnibus et singulis terris, mansionibus, et castris, turribus, et fortalitiis, maneriebus, hortis, pomeriis, molendinis, silvis, piscariis, ecclesiis, advocationibus, donationibus, et juribus patronatuum, jurisdictione, jure, et privilegio regalitatis, liberæque capellæ et cancellariæ, omnibusque *aliis honoribus, dignitatibus, præeminentiis immunitatibus, jurisdictionibus, et libertatibus quibuscunque*; nec non recipiendi, levandi, et *disponendi, super omnibus* et decimis tam rectoriis, quam vicariis, feudifirmæ firmis, aliisque censibus, firmis, canis, custumiis, fructibus, redditibus, emolumentis, casualitatibus, profituis, et devoriis, tam spiritualitatis quam temporalitatis, ad dictum archiepiscopatum, aliaque beneficia eidem annexata, pertinen. et spectan., aut quæ possessæ, gavisæ, et levatæ fuerunt, per dictum quondam Georgium, Sancti Andreæ Archiepiscopum, aut aliquos alios suos prædecessores quibuscunque, temporibus præteritis; cum omnibus et singulis libertatibus, commoditatibus, libere et quiete, etc., absque ulla revocatione, etc., Præcipiendo Dominis nostri Consilii et Sessionis, quatenus concedant et dirigant alias nostras literas, super simplice mandato decem dierum solummodo, ad instantiam dicti Reverendi in Christo patris, ad causandum ipsum, suosque factores et camerarios, suo nomine, prompte reponderi et obediri, de omnibus et singulis decimis, tam rectoriis, quam vicariis, feudifirma firmis, aliisque censibus firmis, canis, custumis, casualitatibus, fructibus, redditibus, proficiis, proventibus, emolumentis, et devoriis quibuscunque, ad dictum archiepiscopatum, aliaque beneficia eidem annexata, pertinen. et spectan. de cropa annoque Domini millesimo, sexcentesimo, decimo quinto; et similiter, de omnibus annis et terminis futuris, durante vita sua; et etiam, pro redditione et deliberatione dicto Reverendo patri, aliisque suo nomine, omnia castra, turres, fortalicia, maneres, mansiones, hortos, pomeria, domos, ædificia, et alia quæcumque, ad dictum archiepiscopatum pertinen. et spectan.

"Vobis, etc. Apud Greenwiche, penultimo die mensis Maij, anno Domini millesimo, sexcentesimo, decimo quinto; regnorumque nostrorum annis quadragesimo octavo et decimo tertio."

Mr George Glaidstanes, Bishope of St Androes, was buried upon the seventh of Junie in St Androes. A cannabie of blak velvet was borne above the coffine by four men; and yit the corps was not in the coffine, but buried soone efter his death. Mr William Couper made his funerall sermon, full of vile flatterie and lyes, and knowne to be so by the people, and therefore was he derided. It was reported that the king bestowed ten thowsand merks upon his buriall.

SIR JAMES MACCONNELL'S RYOTS AND REBELLION.

Sir James Makconneill escaped out of the Castle of Edinburgh, where he had been wairdit the space of eighteen yeers. Upon the twentie-fourt of Maij, the day efter, Anguse Ooge, his brother, and eight or nyne of his complices, were brought to Edinburgh. It was thought he escaped not without the privitie of these who had credite. In the beginning of Julie he entered in Ila, with a number of the men of the Iles, and within three or foure dayes efter his landing tooke the castle, slew the captane and other thrie or foure. His forces increasing, he went out of Ila and spoiled the lands belonging to the Erle of Argile, compelled their tenents to pay him their mailes and dueties, and keeped about him fyve or sixe hundreth men.

ANGUSE OOGE AND HIS COMPANIE HANGIT.

Upon the eight of Julie, Anguse Ooge, brother to Sir James Makconnell, and his complices, were hangit at the Mercate Crosse of Edinburgh. They affirmed that George Traquaire assured them in the chancellour and counsel's name, that they wold procure the king's favour and safetie both of their lyves and lands, if they wold render the pledges; and desired them to keepe the hous till the king's favour were obtained, or els they had not made resistance to the king's lieutenant. Becaus the said George was not troubled by the counsel or anie other, the people thought hard of it.

THE WHILLIWHAES.

About this tyme, certaine bair and idle gentlemen lay in wait upon passengers, by the ways about Edinburgh, and in other parts of Eist Lothian, and wold needs have money from them. The commone people called them Whilliwhaes.

MR SPOTTISWODE INAUGURED BISHOPE OF SANT ANDROES.

Upon the thrid of August, Mr Spottiswode made his progresse to St Androes. Manie noblemen and gentlemen mett him, and accompanied him. He preached upon the fift of August before noone. The efternoone was spent with fyres of joy and other pastyms. The day following, that is, the Lord's day, Mr William Couper, Bishope of Galloway, preached, and Mr Spottiswode was inaugured Bishope of St Androes. Manie bishops, especiallie suffragants, were present.

MR J. MALCOLME SUMMONED BEFORE THE HIGHE COMMISSION.

Upon Tuysday the 8th of August, Mr Spottiswode, Bishope of St Androes, held a court of Highe Commission. Mr Johne Malcolme, minister at Perth, a grave, godlie, and learned man, was cited to compeir before them for his Epistle Dedicatorie prefixed to his Commentarie on the Acts of the Apostles, wherwith not onlie they themselfs, but also the king, howbeit the booke was dedicate to the king, was offendit, as they alledgit. They found fault with two points in it; one, wherin he requeisted the king to recall the banished ministers, alledging they were more faithfull subjects to his Majestie than those who had receaved great benefices at his hands: another, wherin he regrated the corruption brought in into the kirk by unlearned and unsanctified men. Mr Johne, well accompanied with his parochiners, compeired; exponed his meaning, which was putt in writt. He was desired to subscribe

it, that his Majestie might be satisfied. Becaus the bishops stiled themselfs "Lords," he wold not subscribe it till that title were putt out, and the word "Wisdomes" putt in stead of it. The declaration was sent to the king.

THRIE PAPISTS PRESENTED TO THE SCAFFOLD FOR A MOCKE.

William Sinclare, Robert Wilkie, Cruikshanks, were convicted upon the fourteenth of August, for resetting the Jesuits above-named, and heiring of masse. The day following, betuixt foure and five afternoone, they were brought furth with their hands bound to the scaffold, sett up beside the Crosse, and a gallouse in it according to the custome of execution. Whill a great multitude of people was gazing to sie the execution, there was a warrant presented to the magistrats of Edinburgh to stay the execution. So they were turned backe againe to their wairds. The people thought this forme of dealing rather mockerie than punishment.

ARGILE PERSUETH MACCONNELL.

Upon the 16th of August, the Erle of Argyle came to Edinburgh, sent from court by the king, to passe upon Sir James Makconnell. He had commission to wairne and raise the shireffdoms nixt adjacent, and to wage souldiers upon the king's charges. One of the king's shipps and foure pinnages were sent by sea with canon, musket, powder, bullet, pick, and corslett. The counsell gave them their direction upon the thrid of August. About the midst of September, their forces drawing neere to other, Colene Campbell of Kilbervie, and some with him, were surprised and taken by Col Makgilespicke and his followers. Mr Donald Campbell, that gentleman of the house of Caddell, accompanied with sixe or seven hundreth men, went out of Argyl's campe, and surprised in a sudden Col Makgilespicke and his companie, killed some, tooke others, and hanged some. Col himself, and the most part, hardlie escaped. Sir James, and so manie as might flie with him, fledd

out of Kintyre to Ila. All his followers could not flie, becaus Mr Donald Campbell had ceassed upon manie of the boates. Argile finding it dangerous to remaine longer in the feilds, winter drawing on, for it was now midd October, and his companies dissolving, practised with Col Makgilespicke. Col rendered the castle of Dunnivege, Colene Campbell of Kilbervie, and himself, to the erle.

MR J. LAW INAUGURED BISHOP OF GLASCO.

In the beginning of September, Mr James Law, Bishope of Orkney, was inaugured Bishope of Glasco. Mr George Grahame, Bishope of Dumblane, was appointed, in October following, to succeid in the sea of Orkney. Mr Adam Bannatyne, minister at Fawkirk, and sometyme a vehement opposite against bishops, was consecrated Bishope of Dumblane. He had said before, that Mr George Grahame, the excrement of bishops, had gotten the bishoprick of Dumblane, the excrement of bishopricks: now, he is not ashamed to lick up his excrements, and to accept that meane bishoprick to patche up his broken lairdship. He and Mr William Murrey, persone of Dysert, and Mr Johne Abernethie, minister at Jedburgh, made everie one their owne moyen at court for the bishopricke of Glasco. But the king preferred Mr James Law, for the good service he had done at the overthrow of the discipline of the kirk. This man was ingadgit in debt likways before he entered in that course, which was a speciall motive, beside his ambition and covetousnes.

About this tyme, twentie-sixe shipps were suffered to come through the narrow seas from Spaine to Dunkirk, with souldiers, not without the King of Britaine his licence, as was alledgit.

ROCHESTER COMMITTED TO THE TOWRE.

Sir Robert Ker, Lord Sommersett, and Erle of Rochester, was examined by some of the counsell of England, at the king's direction, for poysouning of Sir Thomas Overberrie, imprisoned in the

Towre. At last, by speciall direction from the king, he was degraidit of his honours, caried to the Towre by water, and putt in at the Traitour Gate. He was privie to the poysouning; but his ladie, the Erle of Essex' wife, and her mother, were the cheefe actours. Sir Thomas was Rochester's cheefe counsellour, and crossed the matche so farre as he might.

THE ARCHBISHOPS GIVE HOMAGE.

Upon the twentie-sixt of November, the Archbishops St Androes and Glasco, after sermon made by Mr William Couper, Bishope of Galloway, gave their oaths of alledgance as subjects, renuncing all forraine authoritie, temporall or ecclesiasticall; and of homage for their archbishopricks upon their knees, holding up their hands to the lord chancellour, who was then commissioner for the king, and sitting under a cannabie of velvet in the Royall Chappell, in presence of the secretare, advocate, manie lords of the Counsell and Session, sundrie other noblemen, and other people who were present.

THE UNITING OF THE COURTS OF THE HIE COMMISSION.

The courts of the Hie Commission were united in forme and maner following, in the moneth of December:—

"JAMES REX.

"Our Soveraigne Lord ordeans a letter to be made under his Hienes' great seale in due forme, making mention, that for sameikle as it has beene heavilie complained to his Majestie, in the behalfe of the ministrie of the kingdome of Scotland, of the frequent advocations made by the Lords of Counsell of the same kingdome, against such as are either erroneous in religion, or scandalous in life, wherby they are not onlie discouraged from censuring of vice, but the offenders so muche the more emboldened to continue in their wickednes; using their advocation as a meane and delay, both to

disappoint tryall and punishment; knowing that manie of the ministrie, in regard of the meannesse of their provision, are unable to attend, and prosecute the dyet of such processe: The mater controveened being also unproper to the counsell to cognosce upon: For eschewing of the which inconveniences, and that the number of true professors may be knowne to increase, the Antichristian enemie and his grouth suppressed, all kinde of vice and scandalous life punished; and that noe cover of iniquitie, nor delay of tryall, and punishment of the offender, be left, by this subterfuge of discharging the ecclesiasticall censure to proceede in things so mere proper for them; or being otherways of a mixt nature, in regard of the danger and sequele of law by reason of the offence committed; which in this case can noe way be so weill supplied, as by the particular choise of some nobilitie, clergie, other laicks and ministers, being weill affected in religion, zealous in the caus of God, and desirous to have all vice and sinne punished, and the increase and grouth of the enemie stayed: And becaus the citation of the forsaid persons is oft tyms protracted or delayed by absence of anie of our two archbishops of Scotland, either by sicknes, or for other reasonable causes, so that by the absence of our Archbishope of St Androes, the scandalous persons within the province and diocie of St Androes can not be cited to compeir before our Archbishope of St Androes as their ordinar; and by the absence of our Archbishope of Glasco, the offenders within the province or diocie of Glasco cannot be cited to compeere before our Archbishope of Glasco; sua that the scandalous persons, at the least, the most part, escape all punishment: Therefore, for remeade heirof, out of his duetie towards God, and love to His kirk, being the nurse-father of the same upon earth within his Majestie's dominions; and greiving, that either heretiks, schismatiks, or scandalous livers, sould find anie subterfuge, colour, or escape the old ordinar course from the ecclesiasticall punishment appointed by the lawes of his Hienes against the offenders in such cases; has given, granted, and committed, and by the tenour heirof gives, grants, and committs, full power and commission to the most reverend fathers in God, and

his Hienes' right trustie and weilbeloved counselours, Johne Archbishope of St Androes, Primate and Metropolitane of Scotland, and James Bishope of Glasco, conjunctlie and severallie; and Alexander Erle of Dumfermeline, Chanceller of our realme of Scotland, Johne Erle of Marre, George Erle of Marshall, Johne Erle of Montrose; Peter Bishope of Aberdeene, Alexander Bishope of Murray, William Bishope of Galloway, Patrik Bishope of Rosse, Andrew Bishope of Brechine, Alexander Bishope of Caithnes, Adam Bishope of Dumblane, Andro Bishope of Argile, and George Bishope of Orkney; the Lord Binning, Secretare of our realme of Scotland, * * * Lord Lindsay, William Lord Sanquhare, * * * Lord Forbesse, Walter Lord Blantyre, Sir Richard Cockburne of Clerkingtoun, Lord Privie Seale, Sir Alexander Hay of Quhitburgh, knight, Clerk of Register, Sir William Olyphant of Newtoun, knight, our Advocate, Sir Gedeon Murray of Elibank, knight, our Thesaurer-depute, Sir David Carnegie of Kinnaird, knight, Sir William Livingstoun of Kilsyth, knight; Maisters Patrik Galloway, Johne Hall, Peter Ewart, Andro Ramsay, ministers of our burgh of Edinburgh; Mr Johne Ramsay, minister at * * Mr Johne Hay, person of Renfrew, Mr William Birnie, minister at Aire, Mr Johne Abernethie, minister at Jedburgh, Mr Edward Hepburne, minister at * * Mr Johne Mitchelsone, minister at Bruntisland, Mr Theodore Hay, persone of Peebles; Maisters Thomas Henrisone and Johne Arthure, commissars of Edinburgh; Mr Johne Weemes, commissar of St Androes, Mr William Hay, commissar of Glasco, or anie fyve of them, the saids Archbishops of St Androes and Glasco, or anie one of them, being of the number of the forsaids: To summoun or call before them, at such tyme and places as they sall think most meete, all persoun or persons dwelling within our countrie of Scotland, and within the provinces of St Andrewes and Glasco, and diocies of the samme, being offenders either in life or religion, whom they find anie ways to be scandalous; and speciallie, resetters and intercommoners with Jesuits, Seminarie and Masse preests, or excommunicated Papists, sayers and hearers of masse, recusants and not-communicants, in-

cestuous and adulterous persons; and that they take tryall of the samine; and if they find them guiltie and impenitent, refusing to acknowledge their offence, they sall give direction and command to the preachour or minister of that paroche where they dwell, to proceede with the sentence of excommunication against them; which sentence, if it be protracted or delayed, and their command by that minister be not presentlie obeyed, they sall then conveene anie such minister before them, and proceid in censuring him for his disobedience, either by suspension or deprivation, or other ways, according as in their discretion they sall hold his obstinacie and refusall of their directions to have deserved. And farther, to fyne at their discretions, imprisone, or waird anie such persons, who being conveened before them, they sall find upon tryall, or contumacie, their non-compeirance to have deserved such punishments for the saids crymes; and a warrant under the hand of anie fyve above-named, anie one of the saids archbishops being always one of them, sall serve for a sufficient command to the captains and constables of his Hienes' wairds and castles, and to all keipers and jaylers of all prisons or wairds either within burghe or land, within anie part of the said countrie, for receaving and deteaning of such persons as sall be unto them directed to be keiped by them, in such forme, as by the saids warrants sall be prescribed; as the saids offenders will answeir to the contrare at their perill. And of all such fynes as sall be imposed upon anie offenders, the one halfe to apperteene to his Majestie and his Hienes' treasurer; another halfe to be imployed upon such necessarie charges as the saids commissioners sall be forced unto, by charging of Papists and witnesses to compeire before them; and the superplus to be bestowed at the sight of the saids commissioners *ad pios usus*. And that the saids letters be extendit in the best forme, with all clauses needfull; and with command therin to the Lords of his Hienes' Privie Counsell of Scotland, upon the sight of anie certificate subscribed by anie five of the saids commissioners, the saids archbishops being always two of them, either of fyne imposed upon anie partie found guiltie, or of the contumacie or refusall of

anie partie to compeire before them, to direct a summare charge of horning upon ten dayes onlie, for payment of the fynes to be imposed upon them; and to direct his Hienes' letters and warrant for present denuncing of persons that are contumacious, for their contumacie and refusall to compeire, being lawfullie called to that effect: And that noe suspension nor relaxation be granted without a certificat under the bishop's hands, of the partie charged of his obedience and satisfaction. And in case of farther disobedience of the partie who sall be charged for his fyne of non-compeerance, his Majestie then ordains his Lords of Counsell to prosecute the most strait order, as is used against anie others his Hienes' rebells for anie other caus whatsoever: With power to the saids commissioners to proceid heirin, and als to take tryall of all persons that have made defection, or otherways are suspected in religion; and as they find anie just caus against them, to proceede in maner forsaid. Commanding alsua, by thir presents, the captanes and leivtenants of his Majestie's guardes, proveists, and baillies of burghes where the said commissioners sall sitt, shereffs, and baillies of regalities, and all others his Majestie's officers and ministers of the lawes, to searche, seeke, take, and apprehend all and sundrie persons his Majestie's leiges, whom the said commissioners sall think meete to be presented to their judgement and tryall, upon a warrant subscribed by anie five of the saids commissioners, anie of the saids archbishops being alwayes one of them. And also, whensoever they learne or understand of anie minister, preachers, or teachers in schooles, colledges, or universities, or of exhorting and lecturing reiders within these bounds * * * * * * against the present established order of the kirk or estate, against anie of the conclusions of the bypast Generall Assemblie holden at Glasco, acts of parliament, and speciallie the act of parliament holden at Edinburgh in October 1612 yeers; and, therfore, efter calling before the saids commissioners, they sall be questioned upon the points of that which is layed against them, and punished according to the qualitie of their offence. And wheras complaints sall be made unto them by anie partie that sall be conveened before

anie ecclesiasticall judicatour, for anie suche cryme as he sall be suspected of, and the partie alledge there that the mater it self is impertinent to that judicatour, and the proceedings to be and to have been unformall; or that the judicator it self has beene partiall; and when the saids commissioners sall sie a just caus, they sall tak * * * lyk as it sall be leasome to whatsoever persone or persons to appeale to the saids commissioners from anie inferiour ecclesiasticall judge upon anie reasonable caus. Then, and in that case, the saids commissioners to take cognition therin, the case of appellation being found reasonable. With power also to the saids commissioners to mak choise of the clerk, procurator-fiscall, and other members of court; and to direct precepts in name of the saids archbishops and their associats for citation of anie parties before them within the bounds of the said countrie in anie of the causes or cases above named: Which precepts sall be sealed with a speciall seale, conteaning the armes of the saids two archbishops. And these presents sall be a sufficient warrant, both for making and using the said seale. And to charge witnesses to compeer before them, under the paine of fourtie punds usuall money of this our realme of Scotland; and upon a certificat from the saids commissioners that anie of the said penalties are incurred by their contumacie, the saids Lords of Counsell sall direct the like charges for payment of the same as is appointed for the fynes. Attour, our said soveraigne lord, by the tenour heirof, dischargeth the Lords of his Hienes' Counsell and Session of all advocating to themselfs from our ecclesiasticall judicatories anie of the maters of the qualities abovewrittin; but that they referre the samine to the decision of the saids commissioners: And, generallie, to doe all and whatsoever things the saids commissioners sall hold fitt and convenient for his Hienes' service heirin, according to the intent and purpose of his Majestie's commission. Charging likways and commanding all and sundrie his Hienes' leiges and subjects whom it effeirs to reddilie answeir and obey the saids commissioners, or anie five of them, anie of the saids archbishops being always one of them, their officers and ministers, in all and sundrie things concerning the

premisses, under all hiest paine and charge that efter may follow: and ordains our great seale to be appendit to the same. Wherto these presents sall be a sufficient warrant.

"Givin at Roystoun, the 21st day of December, the yeir of God 1615 yeirs, and of our raigne 49 and 13 yeers.

"A. CHANC. BINNING.
"P. MURRAY. ALEXANDER HAY."

THE TYRANNIE OF THE BISHOPS IN THE HIE COMMISSION.

At the first there were two courts of Highe Commission, wherof the two archbishops were heads. But seing the Hie Commission is their strongest hold, they thought good to make it stronger by uniting the two courts in one at the renewing of the commission occasioned by the death of the last archbishope, that all the subjects within either of the provinces might be drawne to this one court. The two archbishops, Mr Johne Spottiswode and Mr James Law, some tyme ministers within the presbyterie of Linlithgow, two prettie football men, have now, as we use to say, the ball at their foote. They were both neere the point of suspension in the purer tymes for the profanation of the Sabboth: now they have power to suspend, deprive, imprisone, fyne, or confyne, anie minister in Scotland. In this court of Hie Commission they and the rest of their fellow bishops maintained their usurped authoritie, overrule ecclesiasticall judicatories, put in execution the acts of Assemblies overruled by themselfs; knowing verie weill they will not gett concurrence in presbyteries or synods, the ordinarie judicatories of the kirk, to suspend or deprive ministers for not-conformitie or obedience to these acts. So the acts of unlawfull Assemblies are violentlie obtruded upon the kirk by a judicatorie which is not a kirk judicatorie; and the bishops overrule the kirk by a power never given them by the kirk.

M.DC.XVI.

A FYRIE DRAGON IN THE LIFT.

Upon the 27th of Januar, about five efternoone, there was a great fierie starre, in forme of a dragon with a taile, running through the firmament; and in the running giving great light and spouting fyre, which continued a prettie space before it vanished. Others describe it thus: that the night being fair and frostie, there arose a great fierie light in the south-west, efter the setting of the sunne, and ranne to the north-eist, having at the end therof, as it were, the shape of the moone, and when it vanished out of sight, there were two great cracks heard, as if they had beene thunderclapps. There followed a great calmnes and frost for eight or ten days, but the moneth following was bitter and stormie weather.

PREPARATION FOR THE KING'S COMING TO SCOTLAND.

The chancelour and secretare returned from court, and came to Edinburgh upon the 24th of Aprile, and the Bishope of St Androes soone efter. Efter their returne, the brute went, that the king was to come to Scotland the yeir following, which was confirmed by the repairing of the Castle of Edinburgh and the Palace of Halyrudhous not long efter; and by proclamations, that none hunt within eight myles to the king's houses, that noe wyld-foule or venison be slaine.

FALS RUMOURS OF CONSPIRACIE AGAINST THE KING.

About this time rumor went, that there were ten Jesuits landit either in Scotland or England, who had sworne at the taking of the sacrament to bereave the king of his life. The flattering ministers of Edinburgh, without great advisement, made report of these news

in the pulpit. But it was a plaine fiction, made of purpose to make everie man conceave weill of the king now, when he was to indict a Generall Assemblie where moe innovations were to be brought into the kirk.

Upon the 12th of June, the Marqueis of Huntlie compeered before the commission, but refused to subscrive the Confession of Faith, or to give anie kind of satisfaction; wherupon he was wairdit in the Castle of Edinburgh, but was releived out of waird upon the 18th day, by a warrant from the king, to come up to court. The bishops seemed to be miscontent becaus the power of the Hie Commission was vilipendit, as they alledgit. But it seemeth the warrant to waird him and to releive him were both coyned at one time; yitt manie of the counsell, not privie to the mysterie of the mater, voted that he sould be deteaned in waird, or at least his libertie sould be referred to the Highe Commission. The votes being equall, Chancelour Seatoun inclyned to Huntlei's side, wherupon he was sett at libertie. The Archbishope of St Androes sent a letter to the king to informe him how they had wairdit the Marqueis of Huntlie. The king, in a letter sent to the bishope, approved the proceeding of the Hie Commission against the marqueis, and declared that he had dispatched a letter to the marqueis to come to court before he had receaved his letter; and therefore commandit that he sould be deteined still in waird, and if he were releived to recall him againe. But the marqueis was alreadie in journey.

THE KING'S LETTER TO MR JOHNE SPOTTISWODE, BISHOP OF ST ANDROES.

"Right Reverend Father in God, right trustie and weilbeloved Counselour: we greete you weill.

"We have received your letter of the 13th of this instant, wherby ye and the remanent bishops doe give us accompt of the Highe Commission's proceedings, and the causes moving them at their last meeting to committ the Marqueis of Huntlie. And as

we are weill pleased both with your assemblie, and that effect therof, especiallie at this time of so great defection and apostacie in the North, so it is our pleasure that the said marqueis be noe ways releeved of his commandit restraint, but that he remaine therin, notwithstanding our late letter sent to him, which being directed and despatched befor we knew of his restraint, is not to be interpreted as a warrant for his releefe therof. So as, notwithstanding the said letter, ye are still to deteane him if he be in prison, and otherways, to caus him re-enter the same. And seing now ye have made so fair ane entrie and way to curb and correct Poperie, and prevent the future growth and increase therof, so we are the more earnestlie to perswade you to sett forward in so goode a course, without fainting or wearying; becaus at this time of the marqueis his imprisonment, everie man will be in expectation of some reall effect, and werke of reformation. Wherfore you, and all the rest of your colledges, are to use the greatter care and diligence in your proceeding against the Jesuits, Preists, and Papists in these parts, and cheeflie against these of the said marqueis, his name, kin, and dependance, by citation, or such other course as ye sall think most fitt for their discoverie, persute, tryall, and punishment. Wherin, as we doubt not but ye will performe all that we can expect or require at you, so may ye be confident of our speciall approbation and aide, to be conferred to anie lawfull course that ye intend or take for the same. In the meane time, among other particulars of that letter sent unto us, we cannot but take speciall notice of the devilishe disposition of Cornelet Gordon's wife, in railing so wickedlie against a preacher, and using such speeches, to divert people even at the church doore from entering to heare the Word. Wherfor our pleasour is, that ye resolve upon the most expedient course to bring her to Edinburgh, and she to be committed in the Tolbuith therof; for if these speeches expressed in the said letter be verified against her, we will repute her als infamous, odious, and punishable, as anie witche. And unlesse by her punishment we be confirmed of her guiltines, we must esteeme the information made against her to be but an invention, and you too easilie to

have beleeved a lie. According to your desire, we have required our deputie-treasurer to caus dispatche the guarde to persue Geicht, and take his hous, and for punishing the rest, that being cited, compeered not before our High Commission. We have willed him to proceede against all and everie one of them, with all severitie and rigour of law. And to conclude, wheras ye desire the declaration of our pleasure concerning Mr Johne Murrey, seing by his conformitie he has given you satisfaction, we are weill pleased that ye place him in Dumfermeline, or els where, as ye sall think most fitt. And so we bid you farweill.

"At Wantstrade, the 22d of June 1616."

MR JOHNE MURRAY TRANSPORTED TO DUMFERMELINE.

In the end of this letter, mention is made of Mr Johne Murrey his conformitie, and therupon of his transportation to Dumfermeline. The trueth is, he never promised conformitie. The occasion of his transportation to Dumfermeline was this following:—

Efter that the toun of Dumfermeline was deprived of their minister, Mr Johne Fairfull, through the malicious information of his college, Mr Andro Forrester, who stirred up the chancelour against him, the parochiners were earnest with the presbyterie of Dumfermeline to concurre with them in sute for Mr Johne Murrey, who had his residence for the time in Saltprestoun; for the better sort of the people went upon the Sabboth day to other kirks, loathing to heir Mr Andro, for the wrong he had done to his college, [and] the scandals both in his calling and conversation. The man was beside both giftles and graceles. The brethrein of the presbyterie concurring with the elders of the kirk, and the weill affected of the paroche, sent diverse times to Mr Johne their requeists subscribed with their hands, and Mr Andro subscribed with the rest. They entreatted him likways by their commissioners to pittie their desolate estate. He yeildit, provyding he might have a safe and frie accesse to them, without anie medling of the bishope in that mater. They dealt with the bishope to take

noe notice of it; but the bishope upbraidit them for presuming to seeke one with whom the king was offendit, and had opposed himself to the king's service. Yitt they still insisted, and shewed they had noe other meane to gett a helper; for Mr Forrester had gotten his colleg's stipend amassed with his owne, by Chancelour Seatoun his moyen, and was formallie presented to it with all the ceremones accustomed. This was done to close up the entrie to another. The bishope, in end, through their importunitie, and the necessitie they had of a helper, was content to winke. So Mr Johne removed his familie from Prestoun Pannes, and went to Dumfermeline.

Foure yeers he ministred freelie as a voluntare, without a stipend. The people contested noe more with Mr Forrester, having contentment otherways. But he waxing proude, as if he had awed them with authoritie of the bishope, beganne to inveighe against the better sort, to vexe them, and greeve his helper, to whom he was so much obliged, both for his voluntarie helpe, and procuring the resort of the people to their owne kirk. Whill he was in the height of his humour, thinking himself safe in his place and provision, the Lord walkened his conscience, and forced him to confesse that which was knowne to noe man; to witt, that he had sundrie times stollen out of the kirk boxe the silver gathered for the poore. This he did, betuixt the secund and thrid bell, in the sessioun-hous; and went immediatlie to the pulpit, compared the better sort of the people to Judas and Pilate, and himself to Christ, alledging he was crucified with their tounges. When he was thus troubled in his mind, he concealed not this his haynous offence from anie that came to visite him; confessed God had never called him to the ministrie, but that he had craftilie insinuate himself, and walked in it with hypocrisie and dissimulation all his dayes. When the magistrats came to visite him, he cryed out ferfullie, saying, they were come to take him to execution. From this time furth, he durst never mint to anie exercise, but gave over both place and stipend.

Thus was he, by God's mightie hand from heaven, noe man

having hand in the mater, thrust out of the ministrie with shame, who had thrust out his college, and closed the doore to another college in time comming. Then the presbyterie and parochiners intreatted the said Mr Johne to take upon him the charge, seing the Lord had so wonderfullie redd the way to him. He refused for sundrie reasons; as, first, that the bishope wold suffer none to enter there to enjoy the stipend, unlesse they entered with his formalities, wherunto he wold never agrie. Nixt, the burden was too great for one man. Through the importunitie of the presbyterie and the parochiners, the bishope was moved to wink. The cheefe impediment being removed, they dealt with him to accept the charge. At length, he yeildit to beare the burden, so farre and so long as he might, till the paroche provydit a helper, or the Lord offered some other fitter occasion elswher for him. So he was receaved as their pastour, two or thrie brethren of the presbyterie being present, of whom he himself made choise, passing by the moderator of the presbyterie, becaus he was the bishop's substitute; and continued foure yeers under the burden, without anie helpe. Of the occasions of his removall from Dumfermeline, we will heir in the progresse of this Historie, in the end of the 1621, and the beginning of the 1622 yeers.

THE KING'S SPEECH IN THE STARRE CHAMBER.

Upon the 20th of June, the king had a speache in the Starre Chamber. He protested in God's presence, his care had ever beene to keepe his conscience cleere in all the points of his oath taken at his coronation, so farre as humane frailtie might permitt him, in points of justice and law: that he was so farre from pressing alteration of the commone law in parliament, that his desire was, to conforme the law of Scotland to the law of England, as was prophecyed by his wise grandfather, Henrie the Seventh, who fortold that the lesser kingdome by mariage wold follow the greatter, and not the greatter the lesse; and, therefore, maried his eldest daughter Margaret to James the Fourth, his great-grand-

father. He confessed he was sworne to maintaine the law of the land, and, therefore, were perjured if he altered it. But if he had intention to unite Scotland to England, how could he doe it, without altering their lawes, which he was sworne also to maintaine? He tooke in his conscience, that the Church of England, of anie church that ever he read or knew of, present or past, is the most pure, and neerest the privitive and apostolicke kirk, in doctrine and discipline, and is surliest foundit upon the Word of God of anie church in Christendome. He admonished the judges to keepe themselves in their own bounds; "and for my part," said he, "I desire you to give me noe more right in my private prerogative, than ye give to anie subject, and therin I will be acquiescent. As for the absolute prerogative of the crowne, that is noe subject for the toung of a lawyer, nor is it lawfull to be disputed. It is atheisme and blasphemie to dispute what God can doe. Good Christians content themselfs with his will, revealed in his Word. So it is presumption and highe contempt in a subject to dispute what a king can doe, or say that a king cannot doe this or that, but rest in that which is the king's reveiled will in his law." He said, the king onlie is to correct the chancerie, and none els; and therefore commandit, that noe man presume therefter to sue a premunire against the chancereis, becaus noe premunire can be sued but at his sight, as he alledged. By the way, he sundrie tymes snatched at the Puritans. He professed he loved the persone of the Papist, being otherways a good man, and honestlie bred, never having knowledge of anie other religion; but he hated the apostate and polypragmatick Papists. His speeche is extant in print, and, therfore, I omitt other passages, referring the reader to it.

MR PETER BLAIKBURN'S DEATH.

Mr Peter Blaikburne, Bishope of Aberdeene, departed this life about the beginning of Julie, efter he had lyen a long tyme little better than benummed. He was more mindfull of a purse and

fyve hundreth merks in it, which he keept in his bosome, than anie thing els.

THE BISHOPE OF GALLOWAY INVEIGHETH AGAINST THE CHANCELOUR.

Upon the Lord's day, the 7th of Julie, Mr William Couper, Bishope of Galloway, discoursing in his sermon in the Great Kirk of Edinburgh, upon the enemies of the kirk, inveighed against the chancelour for maintaining of Papists. He [was] animate to be thus bold by a letter sent from the king to the counsell, wherin his Majestie shewed that he wold not suffer the marqueis to come neir him, but had directed him to returne to his waird. The bishope made mention of this letter, and therupon ranne out upon the king's fatherlie care and gracious behaviour toward the kirk. But the event proved all was but collusion.

HUNTLIE ABSOLVED BY THE BISHOPE OF CANTERBURIE.

Upon the 8th of Julie, in the packald of letters that came from the court, mention was made that the Marqueis of Huntlie was receaved in the Kirk of England's favour by the Bishope of Canterburie, and had receaved the Communion, notwithstanding of his excommunication in Scotland; which was thought verie strange by the people and by the bishops themselfs, in shew ane usurpation over them. But the wiser perceived well enough the meanning of these proceedings.

THE BISHOPE OF SANT ANDROES SPAIRETH HUNTLIE.

Upon the 14th of Julie, the Archbishope of St Androes preaching before noone in the Great Kirk of Edinburgh, said, he understood the people looked that he sould speake some thing of the Marqueis of Huntlie's releefe out of waird. "But," said he, "it is not my purpose to speake against anie persons that are in eminent

places, seing his Majestie has provydit that the like sall not fall out heirefter. Yitt," said he, "it behoveth the bishops and the ministers to be borne with, to utter their greefe, when Papists are so farre countenanced, not onlie in the North, but also in the verie heart of the countrie." He was absent that day that Huntlie's libertie was granted in counsell, privie, as is likelie, to the letter which was to be sent from the king to that effect.

MR WALTER BALCANQUALL HIS DEATH.

Upon the 19th of Julie, Mr Walter Balcanquall, one of the ministers of Edinburgh, efter he had preached for the space of a quarter of ane houre and more, his teethe fell doun upon his tounge, and stopped him to speeke distinctlie as he wont to doe. He was desired to ceasse, and end with the pronuncing of the blessing. Before he endit, he had these words, "Beloved in the Lord, ye sie that the impediment I have in my speeche cometh of my teethe, which are loose. I am weake, and cannot end my sermon as I thought to have done. I beseeke you all for Christ's sake to pray for me. It may be, I never come to this place againe. Therfore, I take you all to witnesse, that whenever the Lord taketh me to him, that I die in the faith and feare of God; and I protest before God and you all, that I die in the profession of that true doctrine and discipline, which hath beene avowed and mainteaned in this our reformed kirk in tymes past. For Christ's sake, sticke by this trueth. The curse of God, I am assured, hangeth above all them that are of a contrarie religion." Then he pronounced the blessing, and efter was caried home by his owne sone, and some other ministers. The people, both men and women, were sorrowfull, and shedd manie teares. He endit his dayes upon the 4th of August, in the 68th yeere of his age, after he had spent 40 yeers in the course of his ministrie; and was buried upon the fift of August.

THE GENERALL ASSEMBLIE INDICTED.

Upon the 22d of Julie, the Generall Assemblie was indicted by publict proclamatioun at the Crosse of Edinburgh, to be holden at Aberdeene, and to beginne the 13th of August. The tenour followeth:—

"JAMES, by the grace of God, King of Great Britaine, France, and Irland, Defender of the Faith: To our lovits, &c., messingers, our shereffs in that part, conjunctlie and severallie, speciallie constitute, greeting:

"Forasmuche as the prelats and reverend fathers of the kirk, forseeing that there is a great decay in religion, and a grouth and increase of Poperie within this our kingdome; and that the same is like to produce manie dangerous effects against the estats, both in kirk and policie; and the saids prelats having gravelie advised upon the best and readiest meanes, both for preventing and suppressing of this grouth of Poperie, and for the reforming of the disorders and abuses flowing therfra, they have found that nothing is more expedient for effectuating their good worke than a national assemblie, and meeting of the whole kirk. And by their petitions presented unto us, they have humblie craved our licence for the holding of the said assemblie; likeas we, allowing of their goode advise and opinion in this point, and being willing to hold hand to them, in all and everie thing which may procure the goode of the kirk: We have most willinglie and freelie given and granted our consent, licence, permission, and allowance, for holding of the said assemblie, and ordeaning the same to hold at our burgh of Aberdeene, and to beginne, God willing, upon the 13th day of August now approaching, in this instant yeer of God, 1616 yeers.

"Our will is heirfor, and we charge you straitlie and command, that incontinent these our letters seene, ye passe, and in our name and authoritie make publication therof, by open proclamation at the Mercate Crosse of the head burrowes of this our kingdome, and other places needfull, wherethrough none pretend ignorance of

the same; and that ye warne all and sundrie archbishops, bishops, commissioners from the kirks, and others having vote in the said assemblie, that they repair in due and lawfull tyme to our burgh of Aberdeene againe the said 13th day of August nixt, and assist the said assemblie and meeting with their presence and votes; and doe and performe that which to their charges in such cases apperteins, as they will answeir upon the contrair at their perill. The which to doe, we committ to you, conjunctlie and severallie, our full [power] by these our letters, delivering them by you duelie execute and indorsat againe to the beirer.

"Given under our signet, at Edinburgh, the 19th day of Julie, and of our raignes the 44th and 14 yeirs, 1616.

"*Per actum Secreti Consilii.*"

The bishops gave out that the grouth and increasse of Poperie was like to produce dangerous effects to the state both of kirk and countrie, and that alreadie it had produced dangerous effects in the North. This was done of policie, that the Assemblie might be drawin with some colour farre north to Aberdeene, where they might gett numbers of northland ministers to vote with them in things that were to be propoundit; for they had found at the Convention holdin last at Glasco, that it was both chargable and fashious to draw them in so great numbers out of the North to the South. They directed their missives to the presbyteries, wherin they willed them to send their moderators with other commissioners, and to furnishe them with expenses, under the paine of losse of the assignations of their stipends for the nixt yeir; and excused themselfs for the suddane wairning, alledging, they could give noe wairning till they had receaved a warrant from his Majestie: as if they had beene ignorant of this purpose, and had not beene acquaint with the plott of the suddane indiction, and maters which were to be treatted in the nixt Assemblie; wheras they were the cheefe devisers of all these trickes. They were running, forsuith, post hast to the North to extinguishe a fire broken up suddanlie, which wold putt all the kirk on fyre if remedie were not provydit in tyme.

But the trueth is, there was noe new occasion offered requiring ane Generall Assemblie to be holden in the farre North more than manie yeers before, yea, lesse than at some tymes before. As for anie insolencie committed by anie particulare person, it might have beene redressed, either by the authoritie of the Counsel or of the Highe Commission, their owne head court. But they understood verie weill few wold travell so farre out of the South and heart of the countrie where they had maniest and greattest opposits, who were also surprised with a suddane indiction.

DOCTORS INAUGURATED.

Upon the 29th of Julie, Mr Robert Howie, Mr Peter Bruce, Mr James Martine, Principalls of the thrie colledges of St Androes, Mr Patrik Melome, Mr Henrie Philip, Mr Johne Strang, Mr James Blair, and Mr David Barclay, were inaugurate Doctors at St Androes. This noveltie was brought in amongst us without advise or consent of the kirk. Mr Johne Carmichael, Mr David Mearnes, and Mr Johne Dykes, refused to accept that degree. Doctor Young was the directour of the solemnities of this action.

THE GENERALL ASSEMBLIE HOLDEN AT ABERDEENE.

The Generall Assemblie, holden at Aberdeene, beganne the 13th of August. A fast was indicted by proclamation and sound of trumpet to be keeped this day. The Laird of Corse preached in the morning, the Bishope of St Androes before noone, Mr William Forbesse efternoone. Howbeit it beganne with preaching and fasting, yitt the Holie Ghost was closed in packald of letters sent from the court whereby they were directed. The king ordained by his letter the primate to rule the clergie, and his commissioner, the Erle of Montrose, to order the laitie; and desired them to advise upon certaine overtures for the rooting out of Poperie, which he promised to authorise by his lawes. So the primate stepped to the moderator's place without election, against the practise and

acts of our kirk not as yit repealed by the Assemblie of Glasco or anie other following. The secretare and the Lord Carnegie were the Erle of Montrose his assisters. The catalogue of the presbyteries was not called, nor commissions considered, whether frie or limited. A number of lords and barons decored the Assemblie with silks and sateins, but without lawfull commission to vote. Bishops had noe commissions from presbyteries as they ought to have had, according to the practise of our kirk. The moderators of presbyteries came according to the bishops' missives, and a forged clause of ane act made at a pretendit Assemblie holden at Linlithgow the yeir 1606. Twentie ministers or therby, fyfteene laicks, the whole bishops and councelours, together with the king's commissioner and his assisters, the secretare, and the Lord Carnegie, were appointed to sitt upon the privie conference. The first foure dayes were spent in preaching, renewing old acts, and making some new acts against Papists, as if noe acts had beene made against Papists before at Assemblies or Parliaments. But thus wold they protract the tyme, that ministers being wearied might withdraw themselfs, speciallie these that came from the farre South, and then they might treatte of the maters they cheeflie aymed at.

In the secund session, efter Bishope Bannatyne had taught upon the Epistle of Jude, 20, 21, 22, were read certaine conclusions, agreed upon by the privie conference, for order taking with Papists.

"It is statuted and ordained, that whosoever hath confessed the true religion presentlie professed within this realme, and hath subscribed the same, and hath communicated conforme to the order observed within this realme; and therafter sall be found either to reason against the said true religion, or to raile against the same, or to be a seducer or perverter of others, or to recept or interteane Jesuits, trafficking Papists, or Seminarie preests, anie of the said facts or deeds sall be a sufficient prooffe of apostasie; and they sall be punished as apostats, which facts and deeds sall be proved by the oath of the partie committer; and it sall not be leasome to him to refuse to give the same.

"*Item*, If anie who have subscribed and communicated, and doe

not haunt the ordinarie exercises, being admonished by his ordinarie pastor, *trina admonitione* directed from the session of the church, the same sall be a sufficient cause to punishe him, as ane holden and reputed to be ane apostate.

"*Item*, Who beareth and weareth idols, Agnus Dei, beeds, crucifixes, or crosses, upon their persons, in their books, or in their houses, being tryed and convicted, sall be reputed and holden as apostats.

"*Item*, It is ordeaned, that in all tyme comming heirefter, everie minister who sall receive a Papist returning from his errour to the true religion, that the minister, at the time of his receiving, in the beginning take his oathe, that he sall declare the veritie in everie poynt of the Confession of the Faith, as sall be craved at him; and that immediatlie therefter, he sall examine him particularlie, upon everie head conteined in the Confession of Faith; otherways that he be not received.

"*Item*, Anent the wives of noblemen, gentlemen, and others professing Papistrie, who recept trafficking Papists, Jesuits, and Seminarie preests, they sall be called for the same, ('before the Highe Commission,' as some copies beare;) and being convicted, they sall be wairdit, ay and whill they find caution to absteane in time comming; without prejudice of all action competent against their husbands, conforme to the law of the realme.

"*Item*, That a supplication be directed to his Majestie, craving that the lawes and acts of parliament made against trafficking Papists, Jesuits, and Seminarie preests, be putt in execution with all rigour.

"*Item*, That everie minister give up the names of such of their paroche as have past furth of the countrie, and not found caution conforme to the act of parliament; to the effect they may be punished.

"*Item*, That the whole names of the excommunicats be delivered to the bishope of everie diocie, to the end that the samine being intimated at everie church, noe man recept them, or intercommone with them; and if they doe in the contrare, they sall be conveened before the Highe Commission, and punished.

"*Item*, That everie nobleman, gentleman, and burgesse, have the reading of a chapter, and prayer for the king's Majestie, efter everie male; and that the minister of everie paroche haunt their houses to sie the same observed."

In another copie I find this statuted and ordeaned, that "all who are suspected in religion sall be given up to the two archbishops, that they may cite them before the Highe Commission."

In the thrid session, it was ordeaned that some learned of the brethren of the ministrie be appointed to answeir the books and pamphletts sett out by Papists. This burden was layde upon Mr William Scott, minister at Cowper, Mr William Struthers, minister of Edinburgh, the Laird of Corse, and the Bishope of Galloway.

"*Item*, Becaus it is alledgit, that women take upon them to teache schooles, and under colour of their teaching, preests catechize the youth, and pervert them; therfor, it is ordeaned, that neither man nor woman teache young ones till they be tryed, and have the approbation of the bishope of the diocie, and the presbyterie where they dwell.

"*Item*, Anent pilgrimages to wells or chappells, the Assemblie ordaines the names of the hauntars to be givin to the moderator, and by him to the bishope, that they may be called before the Highe Commission, and punished; and that ministers preache against such abuses, and superstitious customes; and that the Justice of Peace be desired to await upon the days of their meetings, to apprehend and punishe them.

"*Item*, That the minister give up the names of idle sangsters and minstrellers within the paroche, to the end they may be called and punished as idle vagabounds, conforme to the act of parliament.

"*Item*, Becaus Jesuits and preests, pretending to be apothecars and doctors of physicke, and under colour of that pretendit profession, subvert the youth and the commone people; therfore, it is ordeaned, that none be suffered to exerce that office, unlesse they have approbation of the soundnesse of their religion from the

bishop of the diocie, and of the universitie where they learned, for their sufficiencie."

In the Fourth Session, the Gudman of Burlie compeered with ane supplication from the Marqueis of Huntlie, craving to be absolved orderlie from the sentence of excommunication. The answeir was referred to his owne presence upon Tuysday nixt, and the whole Assemblie was charged to stay whill that time. The Bishope of St Androes presented a letter from his Majestie, another from the Bishope of Canterburie, excusing Huntlie's absolution in England. The reasons moving the Bishope of Canterburie: 1. His Majestie's sute, assuring him that he was fullie resolved. 2. The Bishope of St Androes had requeisted him diverse times to further that man's conversion, whensoever occasion was offered. 3. He was resolved by the best learned in England, that he might absolve him. 4. That he did it of brotherlie affection, and not as claiming anie superioritie over the Kirk of Scotland. 5. He was informed by the Bishope of Caithnes, there present at court, that it wold be acceptable service to the Kirk of Scotland. But Mr Alexander Forbesse, Bishope of Caithnes, denyed this. It was still alledgit upon him, and he was threatned with deposition from his bishopricke; but his deposition turned to greatter preferment. He was preferred to the bishopricke of Aberdeene, before all his competitours, not long efter this Assemblie.

There was a Confession of Faith, penned by Mr Johne Hall and Mr Johne Adamsone, presented to the Assemblie. The Bishope of Galloway, Doctor Howie, Mr George Hay, the Laird of Corse, and Mr William Struthers, were appointed to revise it before it be printed. This new Confession was devised, to thrust out the other two Confessions, which both made but one. They left out manie points of superstition damned in the Secund, which is called the King's Confession. In the last clause, they bind the swearer to protest this kirk to be the purest kirk under heaven, in trueth of doctrine, and puritie of worship; and so, consequentlie, to approve all the corruptions alreadie brought in into our kirk.

Upon Satterday, the instructions from his Majestie concerning

the discipline and policie of the kirk were read and concludit in one session, howbeit they were als manie in number as the articles made against the Papists; wherupon they spent foure dayes, but might have concludit them in one houre. They drifted tyme to make the Assemblie to wearie. A number of the ministrie forseing and understanding what was to be proponit, and finding the Assemblie made for the purpose, withdrew themselfs before Satterday, and went off the toun; others removed themselfs in the meane time. They suffered all malcontents to depart. There rested nothing then but to aske at those who were present, "What say ye, my lord?—what say ye, laird?—what say ye, Mr Doctor?" It was answered, "Well, my lord." If anie man preassed to speake unspeared at, the bishope wagged his finger, and that meaned silence. The ministers roundit in the eares of others, "How can we either vote or speeke heire freelie, having the king's guarde standing behind our backs?" They perceived themselfs compassed with terrour, and circumveened with policie. They looked onlie for acts to be made against Papists, but they fand that the cheefe purpose was, to make acts against Protestants and sincere professors.

THE INSTRUCTIONS PROPONIT BY HIS MAJESTIE'S COMMISSIONERS, IN HIS MAJESTIE'S NAME, FOR SUPPRESSING OF POPERIE, AND ESTABLISHING GOOD ORDER IN THE KIRK; AND AGRIED UNTO BY THE ASSEMBLIE.

Anent the Dilapidation of Benefices.

"FIRST, That order be taken with the dilapidation of benefices, and the progresse therof stayed; and some meanes devised to recover that which is lost. The Assemblie thought good that the determination of this mater sould be referred to some of the most wise and discreete of the ministrie, to consult and advise therupon. And in the meane time it is statute, that noe bishope, minister, or beneficed persone, sett or ratifie anie tacke under paine of depo-

sition, while ordour be taken by the said commissioners theranent.

Planting of Burrow Tounes.

2. "That the cheefe burrow tounes be planted with sufficient learned, wise, and peaceable men, especiallie such places as are now vacant, as Aberdeene, Perth, Edinburgh, Bamfe, &c.

Planting of Noblemen's Dwellings.

3. "That the most learned and discreete ministers be appointed and transported to the places where noblemen has their residence, speciallie suspect of Papistrie; and if the meanes of the provision be small where they are transported, to take the rents and stipend which they had before with them, till better ordour be taken. And to this effect, the Assemblie ordains, that ilk bishope within the diocie, with advise of their synode, sall transport ministers as they think expedient.

Tryall of Children.

4. "That a speciall canon be made, that all archbishops and bishops, in their visitation either by themselfs, or, if they may not overtake the samine, by ministers of the paroche, make all young children of six yeers old be presented to them, to give confession of their faith, that it may appeir in what religion they are brought up; after the which, everie two or thrie yeirs, they sall be examined, that when they come to fourteene yeers of age, after sufficient grouth of knowledge, they may be admitted to the Communion, and that punishment be appointed for them that presents them not, or are negligent in their instruction. This act was voted and condiscendit to by the whole Assemblie.

Confession of Faith.

5. "That a true and simple Confession of Faith be sett doun, to the which all sall sweare, before they be admitted to anie office in kirk or common weill; and all students in colledges.

A Catechisme for Kirks and Families.

6. "That a short and compendious catechisme be made, which everie kirk and familie sall have for the instruction of their children and servants, wherof they sall give account before the Communion; and everie one examined conforme thereto. The making of this catechisme is committed by the Assemblie to Mr Patrik Galloway, Mr Johne Hall, Mr Johne Adamsone, against October nixt, and that noe other be printed or used.

A Catechisme for Schooles.

7. "That all children in schooles sall have and learne by hart the catechisme intituled, 'God and the King,' which alreadie by act of counsell is ordained to be redd and taught in all schooles.

Anent a Leiturgie.

8. "That a Leiturgie be made, and forme of divyne service, which sall be redd in everie church in commone prayer, and before preaching everie Sabboth, by the reider, where there is one; and where there is not one, by the minister, before he conceave his owne prayer, that the commone people may learne it, and by custome serve God rightlie.

Celebration of the Communion.

9. "That the Communion be celebrate foure tyms ilk yeere in the burrow touns and twise in landwart, and one of the tymes to be at Easter yeerlie; and if anie communicate not once in the yeere, the act of parliament to stryke upon them with all severitie.

Uniformitie of Discipline.

10. "That there be ane uniformitie of discipline, and to that effect, the canons of the former counsells and assemblies to be extracted; and where the same are defective, to be supplied by former canons and ecclesiasticall meetings; for setting doun wherof, the commissioners following are ordained to conveene with the

bishops in Edinburgh, the fift day of December nixt to come; viz., the Laird of Corse, Mr Johne Reid, Mr George Hay, Doctor Philip, Mr David Lindsay in Dundie, Mr William Scott, Doctor Howie, Mr Johne Mitchelsone, Mr Patrik Galloway, Mr Johne Hall, Mr Edward Hepburne, Doctor Abernethie, Mr Robert Scott, Mr William Birnie, Mr William Areskine, or the most part of them.

Anent Students in Divinitie.

11. "For the helpe of the posteritie and furtherance of religion, that a speciall care be taken of the Divinitie Colledge in St Androes; and to that effect, that everie diocie sall furnishe two students, or so manie as may make the number extend to twentie-sixe; and the halfe therof to be children of poore ministers, to be preferred by the bishope of the diocie; provyding alwayes, that these that are furnished within the province of Glasco, that is to say, the diocies of Glasco, Galloway, Argyle, and Iles, sall be brought up in the Colledge of Glasco; and not be astricted to St Androes but when they passe Doctours onlie.

Publict Teachers.

12. "That none teache in pulpit publictlie before the people, but these that has receaved imposition of hands; and whosoever does otherways be incapable of the ministrie.

Anent Baptisme.

13. "That everie minister sall minister the sacrament of Baptisme whensoever it sall be required, under the paine of deposition, the godfather promising to instruct the infant in the faith.

Anent the Registrie.

14. "That everie minister have a registrie of baptismes, mariages, and defuncts, within the paroche, to be presented to ilk synode; for doing wherof it is statute, that the ministers, their wyfes, and executors, sall have the quottes, and confirmation of their testaments frie."

THE CONCLUSIONS CONCERNING DISCIPLINE AND REPRESSING OF PAPISTRIE IN ANOTHER FORME, AS THEY WERE CONCEAVED BY ONE OF THE COMMISSIONERS FROM THE PRESBYTERIES.

"Our commission is granted to the Archbishops of St Androes and Glasco, and remanent bishops, and certane of the ministrie, to conveene the first of December nixt to come in Edinburgh; and there to take order with the dilapidation of benefices, becaus the lacke of maintenance is thought not to be the least caus of so great defection from the true religion.

"*Item*, That burrow tounes be providit with goode ministers, who are learned, wise, and peacable men.

16 *August, post meridiem.*

"The Assemblie ordeans that archbishops and bishops have a care to sie the churches where noblemen maks their residence, and are suspected of Papistrie, to be weill planted with sufficient ministers; and speciallie, the churches of Northberuicke, Cockburnespeth, and Paslay, and other churches where noblemen suspect of Papistrie dwells.

"*Item*, It is ordainit that ane Catechisme universall sall be agried upon; and there is appointed to make the same Mr Patrik Galloway, Mr Johne Hall, Mr Johne Adamsone; and to have the same in reddines betuixt and the first of October; and it being printed, none other but it to be printed herefter, used in familie, or taught to bairnes.

"*Item*, Anent divine service, that a forme of service be sett doun to be usit in churches; and that there be a consideration of the commoun prayers conteaned in the Psalme Bookes.

"*Item*, Anent church discipline, the same is committed to the Archbishope of Glasco and Mr William Struthers; and to report the same to the wholl commissioners, who sall try and examine the same.

"*Item*, It is appoynted, that there be bursars sent out of everie

diocie to the Colledge of Divinitie in St Androes, there to studie their theologie, making twentie-sixe in number, wherof the halfe sall be poore ministers' sonnes; and the meanner diocies to be helped by the greatter.

"*Item*, That Baptisme be ministred to all infants at the desire of the parents, or anie other faithfull brother, who is readie to give ane confession of his faith; at anie time betuixt sunne-rising and doun-passing, not delaying the same to the time of preaching or prayers.

17 *Aug. ante meridiem.*

"The Assemblie inhibits all ministers to sett anie tacks, or give their consent to tacks, whill the commissioners take order concerning dilapidation of benefices; under the paine of deprivation and excommunication.

"*Item*, It is ordained, that a speciall canon be made, that archbishops, bishops, or other visitours of the churches, either by themselfs or where they cannot overtake the busines, that the minister of the paroche make all young childrein of sixe yeers of age to be presented before them, there to give a confession of their faith, and to instruct them in the grounds of religion; and ilk other yeer thairefter, whill they come to the age of 14 yeers, to examine them, that they may be made fitt to partake the Holie Communion.

"*Item*, That the commissioners make that forme of prayer which sould be rehearsed by the bairnes, when they give their confession.

"*Item*, That a supplication be directed to his Majestie, anent a civill punishment to be inflicted on parents that neglects to instruct their children, and present them to the minister, to give a confession of their faith.

"*Item*, That the Holie Sacrament of the Supper of the Lord be administred in burrow touns foure tymes in the yeer, and twise in landwart; ane of the saids tymes to be at the terme of Easter.

"*Item*, That everie minister have a register of these that are baptised, maried, and buried within his paroche, under the paine of suspension.

"*Item*, That a supplication be directed to his Majestie, craving humblie that the extract furth of anie of these registers, under the handwritt and subscription of the minister or keeper therof, may make faith, and be sufficient for probation in all causes."

The Marqueis of Huntlie was resolved to make a floorishe in the end of the Assemblie. He came to Aberdeene upon Tuisday at night late, and conferred with the bishops, before the king's commissioner. After noone, the bishops proponit to the whole Assemblie their conference, and the effect therof, viz., that the marqueis had offered to subscryve the Confession of Faith, to give due obedience to the ordinances of the kirk in all time coming, and to communicate as occasion sould be offered. He subscrived the new Confession without reading, upon the bishop's assurance, that it was all one with the first Confession, which he had subscrived before. By reasone of his promise and subscription, the Bishope of Glasco relaxed him from excommunication. The tenour of the Confession heere followeth :—

THE NEW CONFESSION OF FAITH.

"We beleeve with our hearts, and confesse with our mouths, these articles of religion following :—

"That God is a Spirit, Immutable, Eternall, and Infinite, in power, in wisdome, in goodness, in glorie; from whom, by whom, to whom, are all things; in whom we live, in whom we have our being; who is one onlie God: and three persons, who are co-essentiall, co-eternall, and co-equall. The first is the Father, who is of none: the second is the Sone, who from all æternitie is begotten of the Father: the thrid is the Holie Ghost, who from all æternitie proceedeth from the Father and the Sone. This glorious God, from all æternitie, out of his wisdome infinite, and knowledge, who knew and decreed all things that were after to be done; this God, before the foundation of the world was layde, according to the good pleasure of his will, for the praise of the glorie of his grace, did predestinate and elect in Christ some men and angells unto

æternall felicitie, and others he did appoint for æternall condemnation, according to the counsell of his most free, most just, and holie will, and that to the praise and glorie of his justice.

"In the beginning of tyme, when God created of nothing all things in heaven and in earth, visible and invisible, he made them verie good; and above all things, he made men and angels according to his owne image, in righteousness and true holiness. But some of the angels, of their owne free motive, sinned against God, left their originall, forsooke their habitation, and abode not in the trueth; and thereby became damned devills.

"Then Sathan abused the craftie serpent for his instrument, seducing our mother Eva: she tempted her husband Adam; so both disobeyed the commandement of God, and thereby made themselfs and their whole posteritie the bondmen of Sathan, slaves of sinne, and heirs of æternall condemnation.

"By this fall of Adam, all his posteritie are so corrupted, from their conception and nativitie, that not one of them can doe or will anie thing truelie acceptable to God, till they be renewed by the will and Spirit of God, and by faith ingrafted in Jesus Christ.

"This our originall and native corruption, by regeneration in a part is weakened and mortified; yitt it is sinne indeid remaining in us alwise, lusting against the Spirit, and tempting us to sinne actuallie als long as we live.

"Albeit all mankind be fallen in Adam, yit onlie these who are elected before all tyme are in tyme redeemed, restored, raised, and quickened againe; not of themselfs or of their works, least anie man sould glorie, but onlie of the mercie of God, through faith in Jesus Christ, who of God is made unto us wisdome, and righteousness, sanctification, and redemption; that according as is written, He that glorieth, let him glorie in the Lord.

"This then is life æternall, to know the true God, and whom he has sent, Jesus Christ; wheras vengeance sall be taiken of them that know not God, and doth not subject themselfs to the Gospell of the Lord Jesus Christ, by the obedience of faith.

"We beleeve that the rule of this knowledge, faith, and obedi-

ence, yea, and of the whole worship of God, and of all Christian conversation, is not the witt or will of man, nor unwritten traditions whatsoever; but the wisdome and will of God, which is sufficientlie revealed in the canonicall Scriptures of the Old and New Testament, which are Genesis, Exodus, &c., *exclusis Apochryphis.*

"We beleeve that the authoritie of the Holie Scriptures is divine; for they are all of divine inspiration, and has God for their author. Their authoritie depends upon God, and not upon man. They have power over all fleshe, and noe creature has power over them. We are absolutelie bound to beleeve them for their owne testimonie, which is the testimonie of God himself speeking in them; and our faith dependeth not upon anie externall testimonie of the kirk witnessing of them. All things necessarie to salvation are conteaned therin. All the doctrine of the kirk must be warranted by them. All controversies of the kirk must be decydit by them, as the livelie and plaine voice of God, who is supreme Judge in maters of faith and worship.

"We beleeve that all points of faith and worship are so sett doun in the Word of God, that what is obscurelie propoinit in one place is most cleerlie expoundit in other places. Neither receive we anie interpretation of anie Scripture in these maters which is not warranted by other Scriptures.

"These holie writts are delivered by God to his kirk to make us wise to salvation by faith in Jesus Christ, whose persone, office, and benefits, they most cleerelie and fullie sett furth unto us.

"The Lord Jesus Christ is declared in Scripture to be the eternall Sone of God, begotten from all eternitie of the Father; by whom he created the world, by whom also he does governe and sustaine all things that he has made; and this eternall Sone of God, when the fulness of time come, was made man of the woman of the tribe of Juda, and of the seede of David and Abraham; even of the blessed Virgine Marie, by the Holie Ghost coming upon her, and the power of the Most High overshaddowing her; by whose marvellous and divine operation the Sone of God was made man of a humane bodie and soule, and in all things like unto us, sinne

onlie excepted. And yit, so he was made man that he ceased not to be God; and so is God that he is also man; having both the natures divine and humane united together in a personall union. So that in one admirable persone the two natures are distinct and not confoundit, in respect of their essence, their essentiall properties, and proper operations.

"And becaus of the union of the nature of man in one person with the Sone of God, Christ, God and man, is to be adored and worshiped of us; for to Christ, God and man, all power in heaven and earth is given; and he hath gotten a name above everie name, that at the name of Jesus everie knee sould bow.

"The puritie of the humane nature of Christ is to be ascrybed to the supernaturall operation of the Holie Ghost, who separated the seede of the woman from the naturall corruption; and not to the puritie of the Virgine mother; for she doubtless was conceaved and borne in sinne, and had neid of her sone to be her Saviour als weill as other women.

"The Lord Jesus Christ, as God and man, is the Saviour of his kirk, which is his bodie; and the fulness of him filleth all things, neither is there salvation in anie other thing.

"This blessed Lord has fulfilled the whole law for us to our behoove; both doing all that the law requireth of us, and suffering the punishment due to our disobedience, even to the curse of the law and death of the crosse; where, by the fulfilling of the law, our redemption was sealed and consummated.

"We beleeve that as he dyed for our sinne and rose for our righteousness, so he ascendit to heaven to prepare a place for us, and sitteth at the right hand of God to make intercession for us, and is able perfytlie to save them that come to God by him: who, albeit in his manhood he be so in the heaven that he is no more in the earth, for the heavens must conteane him till he come to judge the quicke and the dead; yit, in his Godhead he is so present everie where, by his power susteaning all things, and by his gracious Spirit directing and governing his kirk militant on earth.

"We beleive that the Lord Jesus Christ was appointed and

anointed of his Father to be the King, the Hiepreist, and Supreme Teacher of his kirk.

"We beleeve concerning the propheticall office that he is the onlie Maister and Teacher of his kirk, whom God by his owne voice from heaven commandit us to heare: who has revealed the whole will of his Father touching our salvation, and what he has heard of the Father he hath made knowen to us; speaking nothing to his kirk which he did not before heir of his Father, that his kirk might learne to receive nothing in faith and worship which she has not heard of him.

"As concerning his preistlie office: We beleeve that he is our onlie mediatour, both of redemption and intercession; and that by the sacrifice of himself once offered on the crosse, he has made a full satisfaction for all our sinnes, and doth continuallie make intercession for us to God. And therefore we abhorre that supposed reiterating of the sacrifice of Christ in the masse. And we renounce all kinde of intercession of saints and angels.

"As concerning the kingdome of Christ, beside his absolute impyre, whereby he rules all things, we beleeve him to be our eternall King, and onlie Head of his kirk universall. Neither he nor his kirk hath anie neid of a Leivtent-depute in his place, seing he is present in his kirk always by his Spirit, powerfullie working therin; calling, collecting, quickening, and graciouslie ruling her, by the ministrie of the Word and sacraments, to the consummation of the world.

"We beleeve that our communion with Christ our Head is spirituall, by that Holie Spirit which dwelleth powerfullie both in the bodie and in the head, making the members conforme to the head; and it is noe ways corporall, or by anie fleshlie receaving of his bodie.

"We beleeve that by vertue of this communion, Christ is ours, and we are Christ's; and his sufferings is our satisfaction, and by it we have right, title, and interest to all the benefits which he did promerite, and purchase to us by his sufferings.

"We beleeve that God justifies sinners, by remitting of their

sinnes, and by imputing to them the righteousnesse and obedience of Christ, whereby he fulfilled the whole law in our place, both in doing the commandements therof, and in suffering the curse therof, which was due to us becaus of our disobedience.

"We beleeve that that righteousness whereby we are justified before God is not inherent in us, but in Jesus Christ; and that it is freelie given to us of God's free grace, through our faith in Jesus Christ.

"We beleeve that we are justified by faith, as it is an instrument apprehending and applying the righteousness of Christ to us; and not as it is a qualitie, and virtue inherent in us. So that the meritorious caus of our justification is not in the faith which apprehendeth, but in the righteousness of Christ by faith apprehendit.

"We beleeve that albeit we be not justified by good works before God, and can merite nothing at God's hand, yit they are the way to the kingdome of God, and are of necessitie to be done for obedience to God, for glorifying of his name, for confirming ourselves anent our election, and for good exemple to others; and constantlie we affirme, that faith which bringeth not furth good works is deid, and availeth nothing to justification or sanctification.

"We beleeve that the elect being renewed, or sealed with the Holie Spirit of promise in such sort, that albeit they beare about in their flesh the remnants of that originall corruption, and albeit they offend through infirmitie, and through the entisements therof, sinne greivouslie, to the great offence of God, yit they cannot altogether fall from grace, but are raised againe through the mercie of God, and keiped to salvation.

"Concerning the certaintie of our salvation, we beleeve that everie one of us in particular ought to be fullie perswadit therof, giving credite both to the externall promise of the Word, and internall witnesse of the Spirit. And as for the doubtings therof, which we often find in our selfs, we doe not allow, but contrarie way damne them, as the fruits of the fleshe fighting against our faith.

"We beleeve that God has appointed his Word and Sacra-

ments, as instruments of the Holie Ghost, to worke and confirme faith in man.

"We beleeve that the Word of God ought to be preached, and the sacraments administred, and all divine service, as praying and praising, in all languages knowne and understood by the people.

"We beleeve that the Sacraments are certane visible seales of God's eternall covenant, ordained by God to represent unto us Christ crucified, and to seale up our spirituall communion with him.

"We beleeve that the Sacraments are to be ministred onlie by them who are lawfullie called therto by the kirk of God.

"We beleeve that the Sacraments have power to confirme faith, and conferre grace, not of themselfs, or *ex opere operato*, or force of the externall action; but onlie by the powerfull operation of the Holie Ghost.

"We beleeve that there be onlie two sacraments appointed by Christ under the New Testament, Baptisme and the Lord's Supper.

"We beleeve that Baptisme is necessarie to salvation, if it can be orderlie had, and, therfore, that not the want of it, but the contempt of it, doth damne.

"We beleeve that Baptisme sealeth up unto us the remission of all our sinnes, wherof we are guiltie, either before or efter our baptisme.

"We beleeve that Baptisme is to be ministred simplie in the element of water, with the rite of dipping, washing, or sprinkling, in the name of the Father, Sone, and Holie Ghost, according to Christ's institution, without other elementall rites devised by man.

"We beleeve that the Lord's Supper is to be given to all communicants under the elements of breade and wyne, according to Christ's institution.

"We beleeve that the elements of breade and wine in the Lord's Supper are not transubstantial, or changed in the substance of the bodie and bloode of Christ; but that they are sacraments of his bodie and bloode, thus changing their use and not their substance.

"We beleeve that the bodie and bloode of Jesus Christ are truelie present in the holie Supper; that they are truelie exhibite unto us, and that we in verie trueth doe participate of them, albeit onlie spirituallie, and by faith, not carnallie or corporallie.

"We beleeve that the Lord's Supper is a commemoration of the sacrifice of Christ, which once offered did fullie expiate our sinnes. With his one sacrifice once offered, we are all fullie content; neither doe we seeke anie other expiatorie or propitiatorie sacrifice; but as for sacrifices of praise and thanksgiving, the sacrifice of a contrite hart, almes, and charitable deeds, these we ought daylie to offer, as acceptable to God in Jesus Christ.

"We beleeve that the sacrifice and merite of Christ is not applyed to us by the worke of the sacrificing masse preest; but that faith, which is wrought in our soules by the Holie Ghost, is the meane wherby the sacrifice and merite of Christ is applyed to us, and being applyed, becomes our satisfaction, atonement, and merite.

"We beleeve that the soules of God's children which depart out of this present life in the faith of Jesus Christ, efter the separating from their bodies, immediatlie passe to heaven, and there rest from their labours untill the day of judgement; at which time, they sall be reunited with their bodies, to injoy life everlasting with Christ. Likas, the soules of the wicked immediatlie passe to hell, there to remaine untill the day of judgement; which day, being conjoyned with their bodies, they sall susteane the judgement of everlasting fire. And beside these two, a thrid place for soules we doe not acknowledge.

"We beleeve that there is ane holie Catholicke or universall kirk, which is the holie companie of all these who according to the purpose of God's eternall election, since the beginning of the world, were called, and to the end of the world sall be called, to the kingdome of Christ, and to the communion of eternall life in him.

"We beleeve that the true members of his kirk are onlie the faithfull, who are chosen to life everlasting.

"This kirk we beleeve to be but one, and that out of it there is noe remission of sinnes to salvation.

"We beleeve that this kirk is partlie triumphant in heaven, partlie militant on earth. The whole militant kirk on earth is divydit in manie and diverse particulare kirks, which are visible and conspicuous to the eyes of men.

"We beleeve not that all these particulare kirks on earth are pure; but these onlie which continue in the doctrine of the prophets and apostles, according to the holie canonicall Scripture, ministering the sacraments, and worshipping God purlie according to the same; and these be the true marks wherby a true visible kirk on earth may be discerned and knowne.

"As concerning the worship of God, we confesse and affirme that all religious worship or service is onlie to be given to God, as his proper due and glorie, which he will communicate to noe other; beleeving firmlie that God is to be worshipped onlie according to his own will, revealed in his word.

"And, therefore, we abhorre all will-worship, all invocation of saints or angels, all worshiping of images, crucifixes, relicts, and all other things which are beside the true God.

"We beleeve and confesse that God has ordained kings, princes, and magistrates, for the good of the commonwealth, for the better governing in the kirk, and to be nursfathers of the samine. And, therfore, that all their subjects are bound in duetie to obey them in all things they command lawfullie, not repugnant to the will of God; and that they are obliged to pray for them daylie, that under them they may leade a godlie and a peacable life.

"We beleeve, and constantlie affirme, that the Kirk of Scotland, through the aboundant grace of our God, is one of the most pure kirks under heaven this day, both in respect of trueth in doctrine, and puritie in worshipe; and, therefore, with all our hearts we adjoyne our selfs therto, and to the religion publictlie professed therin by the king's Majestie, and all his true subjects, and authorized by his Majestie's lawes; promising, by the grace of God, to continue therin to the end of our life, according to all the articles

which are heir sett doun; which as we beleeve with our harts, so we confesse with our mouths, and subscribe with our hands, understanding them plainlie as they are heir conceived, without equivocation or mentall reservation whatsomever: Swa may God helpe us in the great day of judgment."

Efter the dissolving of the Assemblie, Mr William Struthers, who went without commission of the presbyterie of Edinburgh to Aberdeene, and was a cheefe actour at it, notwithstanding he fell out in his sermon, upon the 27th of August, in a great commendation of the Assemblie, and affirmed that all things were done in so great wisdome, learning, gravitie, and godlines, they had left a notable testimonie of their upright dealing to the posteritie to come. The Bishope of Galloway affirmed the like. But litle credite was given to anie of them; for the ane was a bishope, and the other a pensioner; that is, a souldiour hired or waged to maintaine their course.

Upon the 16th of September, there arose such a swelling in the sea, in the Firth at Leith, that the like was not seene before for a hundreth yeers; for the water came in with violence beside the bulwarke, in a place called the Timber-holfe,[1] where the timber lay, and caried some of the timber, and manie lasts of hering lying there, to the sea; brake in into sundrie low houses and sellers, and filled them with water. The like flowing was in Dunbar, Musselburgh, and other parts upon the sea coast. The people tooke this extraordinarie tyde to be a forwairning of some evill to come.

In the end of September, Mr William Watsone, somtyme minister of Bruntiland, was transported to Markinche, and Mr Johne Mitchelsone was placed in his rowme.

In October, manie craftsmen were sett on warke to repair the king's houses, speciallie the Abbey of Halyrudhous and the Chappell Royall. About the midst of this moneth, the organs which were to be sett up in the Chappell Royall were brought to Leith.

Upon the Lord's day, the 17th of November, Prince Charles was installed with great solemnitie.

[1] Holfe or howfe, a house or store.

A proclamation was made this moneth, that beasts be fedd in everie place, that there might be aboundance of fleshe when the king came to the countrie.

In the beginning of December, the Bishope of Spalato his Apologie for deserting the Romane religion was brought hither in print. He himself was brought by Sir David Murrey of Abercairnie out of the Low Countreis to England.

Upon the 17th of December, Johne Erle of Marre was made principall treasurer of Scotland, and the mace, wand of silver, was caried before him as treasurer, in that forme that it was caried before the umquhile Erle of Dunbar.

M.DC.XVII.

About the beginning of Januar, my Lord Sommersett was releived of straite waird, howbeit still deteaned in the Towre with his ladie. His jewells and silver plate were restored to him, and a pension of thrie or four thousand punds sterline assigned to him induring his life, in recompense of certaine lands which he had belonging to the prince. It was thought his life was spared becaus he was privie to the poysonning of Prince Henrie. In the end of this moneth, order was taken in Edinburgh for commodious lodging of strangers that were to come with his Majestie. The king had sent to the counsel the motives of his coming to Scotland, to witt, his naturall and salmond-like affection, and earnest desire to sie his native and ancient kingdome of Scotland, and earnest desire to discharge some of the points of his kinglie office, so farre furth as he might commodiouslie, not offending his goode subjects, both of the ecclesiasticall and civill estate. He promised, that what he sould doe sould be done with the applause of all; that he wold redresse wrongs and heare complaints, if there were anie, which could not be so weill done as when he was present.

Upon the 26th of Februar, the Crosse of Edinburgh was taken doun; the old long stone, about fortie foots or therby in length, was

translated, by the devise of certane mariners in Leith, from the place where it stoode past memorie of man, to a place beneath in the Highe Streete, without anie harme to the stone; and the bodie of the old Crosse was demolished and another buildit, wherupon the long stone or obelisk was erected and sett upon the 25th of Marche.

About this tyme, the Erle of Erroll, who had beene excommunicated eight or nyne yeers before, was absolved upon some offers given in by him to some bishops conveened at Perth.

Upon Wedinsday the 5th of Marche, the estates conveened in Edinburgh. Sindrie harrangs were made by the chancelour, the secretare, and some others, wherin the king's affection to the nation was sett furth to the full, and a thankfull meeting requyred. Therefter, the king's letter was redd. Efter long reasoning, and manie overtures proponed, in end it was resolved, that there sould be a taxation of two hundreth thowsand punds gathered the same verie yeer, for the king's interteanement, when he came in the countrie.

In repairing the Royall Chappell of the Palace of Halyrudhous, beside the place which was prepared for the organs, and the quiristours to sing, there was also carved the statues of the twelve Apostles and the foure Evangelists, curiouslie wrought in timber, which were to be gilted and sett up to decore the chappell. But the people murmured, fearing great alterations in religion, wherupon the bishops dissuadit the king from setting them up in the chappell. The bishops of England had either advised the king, or els allowed his intention, as appeareth by this letter following, written by Mr William Couper, Bishope of Galloway, and sent to Mr Patrik Simsone, minister at Sterline:—

"*To the Right Honourable his loving Brother, Mr Patrik Simsone, Minister at Sterline.*

"RIGHT HONOURABLE AND LOVING BROTHER,—I received a letter from Thomas Ewine of Crukspois, which albeit it wants a subscription, yit, by the hand-writt, and the stile, and the purpose, I knew it to be yours. Concerning images, we have gotten

them discharged, upon a letter we wrott subscrived by the bishops, Mr Patrik Galloway and Mr Johne Hall; but yit, with a sharpe rebuke, and checke of ignorance, both from his Majestie and Canterburie, calling our stirring at them, '*Scandalum acceptum, sed non datum.*' We beare the reproofe the more patientlie, becaus we have obteaned that which we craved. What I wrott of Augustinus Fumor, if I remember right, was not for images, but other Romish toyes, of capes, surplices, altars, etc., wherewith our kirk was not spotted two hundreth yeeres after him. For resistance of these, and confirming also our refusall of images to be most reasonable, and upon knowledge, I pray you take some paines, that seing we cannot alway have yourself, your information may helpe us. The king in his letter has boasted us with his English doctours, who (as he sayes) sall instruct us in these and in other points, except we refuse instruction. God make us wise and faithfull, and keepe us from their usurpation over us, which now is evidentlie perceived, and hardlie taken by us all. Concerning your commission, I sall doe what I can, but St Androes will not be here before the tenth or twelfe of Aprile. I pray againe, remember to helpe us out of your talent, and hast it in hither. So rests,

"Your owne in the Lord,

"May 26, 1617. W. B. OF GALLOWAY."

THE KING'S ENTRIE TO SCOTLAND.

Upon the 13th of May, the king entered into Scotland, accompanied with the Duke of Lennox; the Erles of Arundell, Southhamptoun, Pembrocke, Mongomerie, and Buckinghame; Bishops Eli, Lincolne, Wenchester, and sundrie other barons, deanes, and gentlemen. He stayed in Dunglass two nights, a night in Seatoun. Upon Fryday, the 16th, he came out of Seatoun to Leith, and about foure after noone, out of Leith to the West Port of Edinburgh, where he made his entrie on horsebacke, that he might the better be seene by the people; wheras before, he rode in the coache all the way. The provest, baillies, and counsell, and a number of

citizens, arrayed in gownes, and others standing with speat staves,[1] receaved him at the port. Mr Johne Hay, the toun-clerk, had a speeche to him at his entrie. A golden basen, with a purse full of gold, was presented unto him. The cannons of the castle were shott. He was convoyed, first to the Great Kirk, where the Bishop of St Androes had a flattering sermone upon the 21st Psalme, and thanked God for his prosperous journey. He knighted the Provest of Edinburgh, Sir William Nisbet. When he came to the Palace of Halyrudhous, the professours and students of the Colledge of Edinburgh presented to him some poems made to his praise, and in signe of welcome. It was bruted, that all colledges were to be layde wast, except St Androes and Glasco, that they might floorish the better, which moved them to present their poems.

Upon Satterday, the 17th of May, the English service was begunne in the Chappell Royall, with singing of quiristours, surplices, and playing on organes.

Upon Monday, the 19th of May, the king crossed the ferrie at Leith, stayed that night in Faikland. The day following, he crossed Dundie ferrie, and stayed a night in the Constable of Dundie his house. Efter that he returned from his pastyme in Marowmont, he made his entrie unto Dundie upon the 22d of May, and returned to the Palace of Halyrudhous upon the 25th of May.

THE PARLIAMENT FENSED.

Upon the 27th of May, the Parliament was fensed in the Tolbuith of Edinburgh, and continued by the king's direction unto the 13th of June.

THE COMMUNION CELEBRATE IN THE CHAPPELL AFTER THE ENGLISHE FORME.

The noblemen, counsellours, and bishops, so manie as were in

[1] Sharp-pointed staves.

Edinburgh, were commandit to repair to the Palace of Halyrudhous, upon Whytsonday the 8th of June, where the communion was to be celebrate after the Englishe forme. The chancelour, Secretare Hammiltoun, Sir George Hay, Clerk of Register, the Erle of Argile; the Bishops St Androes, Glasco, Rosse, Brechine, Dumblane, and sundrie others, communicated kneeling, not regarding either Christ's institution or the ordour of our kirk. The Bishop of Galloway refused, but continued not long in that moode.

Upon the Tuisday following, the king ordained the Lords of Secrete Counsell to wairne the Marqueis of Hammiltoun, the Erles of Marro and Glencarne, who were in the chapell, but communicate not, and the rest of the bishops and noblemen, who were in Edinburgh, to prepare themselfs against the nixt Lord's day, to communicate after the same maner.

Mr William Struthers, one of the ministers of Edinburgh, preached this day in the chapell before the king, and observed the English forme in his prayer and behaviour.

REASONS TO DISSUADE MINISTERS FROM ASSISTING TO BISHOPS AT PARLIAMENT.

At this time were penned these reasons following, to dissuade the commissioners chosen by some synods and presbyteries from assisting of the pretendit prelats with their advyses in this Parliament, which they seemed carefull to have:—

1. It is knowne that the sounder sort of the ministrie has opposed to the church's vote in parliament. A great number of them has likeways, of late, subscrived a protestation against the same. Neither has the Generall Assemblie at anie tyme, howbeit urged in the contrare, ever granted to it, but upon condition that the caveats be insert in the act of parliament, and inviolablie keeped. But they have broken the caveats, accepted the place, and possesses the same efter the same forme that Popishe prelats has done a hundreth yeeres since. They have condiscendit alreadie, in diverse parliaments, to manie articles greatlie prejudiciall to the estate of

our kirk, for the which they remaine countable and lyable to the sentence of excommunication. The caveats not being keeped, the condition is not fulfilled. The condition not being fulfilled, they are but usurpers, not lawfull representers of the church; when the kirk is now in great feare of innovations, they pretend resistance, and seeks advantage of this poore kirk, when they seeke assistance. To assist with advyse thir usurpers, who have sitten so long with greefe of the kirk, is to overpasse the breache of the caveats, and to approve their sitting, and their voting, present and bygane, which will prove to the long day, yea, has alreadie proven, a greatter crosse to the church than either crosse or surplice.

2. It is to be feared that they make the meeting of thir commissioners with the bishops a generall representative Assemblie, or the æquivalent of it. For, howbeit, by the canons of our church, commissioners ought to be chosen by presbyteries, not by diocesan synods, not to assist the bishops, but to meete among themselfs; not to advise onlie, but to vote also, if they wold make up a nationall representative Assemblie: yit, seing the pretended prelats are assisted with the secular power, they will take a shadow for substance, and either give it afterward the name of a Generall Assemblie, which now they conceale, as they did at the penult Assemblie of Linlithgow; or els they will alledge that a counsel of bishops, assisted onlie with good advyses of presbyteries, is the true and right nationall Assemblie: for doe not manie of the Episcopall sort affirme that bishops onlie has decisive vote in counsels, and presbyters are onlie to attend them for information and advyse? And, therefore, in our neighbour countrie in the tyme of parliament, there is noe nationall Assemblie. There meeteth onlie a certane number of the inferiour clergie, who sittes below in the House of Convocation, like ciphers, giving naked consent of obedience to these things which are decreed by the bishops in the over house. And will ye unwittinglie be conforme? Remember, that suppose the prelats were not usurpers, that there is a speciall caveat, that they sall condescend to nothing in parliament that concerneth the church, without the advice of a Generall Assemblie, and the direc-

tion therof. Steppe not in, therefore, in the rowme of it, to colour their proceedings. Beleeve not their fair promises, their deepe protestations; for if they meant as they pretend, they wold have sought a Generall Assemblie, and not have used such slight conveyances as ye see they doe.

THE DIOCESAN SYNOD OF LOTHIAN.

In the diocesan synode holden at Edinburgh by the Bishop of St Androes his direction, there were fifteene commissioners chosen to attend the parliament. When Mr George Gruer, minister at Hadingtoun, demandit whether the meeting of the brethren and bishops was to have the force of a Generall Assemblie, he received noe answere. They conveened upon the 13th of June, in the Litle Kirk, and appointed some commissioners to declare to his Majestie that they could not condescend to the five articles proponit by his Hieness, but with advise and consent of the Generall Assemblie. The five articles were these which were concludit after at Perth; viz., kneeling in the act of receiving the sacramentall elements of breade and wine at the Communion; observation of some holie dayes dedicate to Christ; episcopall Confirmation or bishoping; private Baptisme, and private Communion.

A MEETING OF BISHOPS AND MINISTERS.

Upon the 15th of June, some noblemen and bishops who had not communicate before, communicate kneeling; yit not halfe of the noblemen that were required. The ministers of Edinburgh in the meane tyme were silent; neither dissuadit the king privatlie, nor opened their mouth in publict against this innovation, or badd exemple.

THE PARLIAMENT.

Upon the 17th of June, the king and the estats, after their ryd

ing in pompe from the Palace of Halyrudhous to the Tolbuith or Parliament House, about two afternoone, the Erle of Argile caried the crowne, the Erle of Marre the scepter, and the Erle of Rothesse the sword. After they had entered in, Mr Johne Spottiswode, Bishope of St Androes, had a short sermone, wherin he praised the king for his great zeale and care to settle the estate of the kirk, and exhorted the estates to hold hand to him. Thereafter, the king himself had a harrangue, wherin he expressed the great desire he had to visite this realme, to see the kirk settled, the countrie reduced to good order, lawes needing reformation reformed, for the good of his subjects. The chancelour followed with his harangue. The tyme being thus spent till foure of the afternoone, they proceedit to the choosing of the Lords of the Articles. The noblemen, speciallie suche as feared a prejudice to their estate, and namelie, touching the dissolution of the erectiouns, and of the right they had to the tythes, were not content that they sould be chosen, as the king and the bishops wold have them. The king purposed once to dissolve the parliament, and the lords were readie to depart. At last they were chosen, but not altogether to the king and the bishops' contentment. But the king would in noe case suffer the Laird of Dunipace to be one of the number, becaus he had found him his opposite at the assise of Linlithgow, where the ministers were convict of treasone. The king and the estates came out of the Tolbuith after ten houres at night, and went doun to the palace in great confusion, some ryding in their robes, others walking on foote, and the honours not caried as before. The Lords of the Articles satt everie day, except the Lord's day, and the king himself was ever present.

THE MINISTERS CONSULT UPON A PROTESTATION.

The ministers mett diverse tymes in the Litle Kirk, where one or moe of the bishops were ever present. Their cheif consultation was about stipends and provisions to ministers. There were some other ministers in the toun, who were more carefull of the spirituall

liberties of the kirk, and were myndit to have protested against ane article, which was to passe in ane act of Parliament, prejudiciall to the liberties of the kirk. The bishops assured them with all attestations, there was no such thing intendit; whereupon they went all almost home, after they had attendit a good space.

Mr David Calderwode, minister of Crailling, went in to the Litle Kirk, where other ministers, to the number of foure or five score, were consulting upon the augmentation of stipends. His purpose was, to seeke some brethren; always being present, and hearing mention made of the Convocation-house of England by Mr Andro Knox, Bishop of the Iles, he protested that that meeting be not acknowledgit by him, either as a Generall Assemblie or anie other meeting æquivalent to it; or anie wayes to be a meeting, answerable to the Convocation-house of England in time of their Parliaments. Thereafter, he desired them to consult upon maters of greatter importance than augmentation of stipends. It was answered, that noe alteration was to be feared, and the bishops had faithfullie so promised. It was replyed by Mr David, that they had proofe and experience sixteene yeeres bygone of their fidelitie in keeping their promises. They filled the eares of the ministrie with overtures to be sett doun against Papists, and provision for ministers, when they were working some prejudice to the kirk. And at this same present, there was alreadie past ane article amongst the Lords of the Articles, that bishops sould be elected by chapters, which is a mater ecclesiasticall, and contrare to the acts of Generall Assemblies; therefore, it is meete they advert the kirk receive noe farther detriment. Doctour Whytfoord and Doctour Hammiltoun, clothed in silks and sateins, urged the other purpose touching plantation of kirks, to interrupt Mr David. Mr David finding them careless, and some of them sett there of purpose by the bishops, to hinder anie good purpose, left them with these words: "It is an absurd thing to sie men sitting in silks and sateins, and crying povertie, povertie, in the meane time when puritie is departing."

The archbishops being informed of the speaches that past, came

to their meeting on the morne, and protested before God, there was no alteration intendit, or els they sall be content to be ledd out to the Mercate Crosse, and be execute on a scaffold; and yitt the day following, there past ane article among the Lords of the Articles, which was like to cutt the cordes of the remanent liberties of our kirk: which when the brethren of that meeting understood, howbeit otherways men not verie forward, yit were so measd, that some of them resolved to make a protestation in open parliament. The ministers of Edinburgh seemed als forward as anie other. Two of them were appointed to penne the protestation, Mr Peter Ewart and Mr William Struthers. The ministers assembled in the musicke schoole, and others who resorted not before to their meetings in the kirk, becaus they wold not countenance meetings, conveened to give advise unto bishops. The two protestations were redd and considered. The protestation penned by Mr Peter Ewart was preferred to the protestation penned by Mr William Struthers; but was thought needfull to be helped with two clauses taken out of the forme penned by Mr William Struthers. Mr David Calderwode desired some clauses, importing a yeilding to the bypast innovations made by the usurping prelats, to be putt out of the protestation formed by Mr Peter, if they wold have the concurrence of some brethren readie there to adjoyne themselfs unto them. Mr Johne Adamsone and the said Mr David were appointed presentlie, with commone consent, to reforme the said protestation, by inserting some of the clauses formed by Mr William Struthers, and deleting other clauses offensive to some of the brethren thair present. The tyme was short, for they appointed it to be presented before their dissolving, for the day following was the last day of the parliament.

Whill as they were in reforming the said protestation, the rest of the brethren are consulting upon the maner of subscription, and upon the presenter. Mr Patrik Galloway said often, he wold subscrive it with his bloode; yit he refused to put to his hand and subscrive it with inke, least the king sould have seene his name at the end of the protestation. It was therfore devised, that Mr

Archibald Simsone, as their scribe, sould subscrive in name of the rest, and they sould sett doun their names in a roll for his warrant, which they sould give him in custodie. The protestation was subscrived efter this maner, and the roll, apart from the protestation, by so manie of the ministrie as were present at that meeting, or could convenientlie be had in the toun; for the greattest part and best affected was gone home, upon the assurance made unto them, as I have said.

Mr Patrik Galloway revealed the whole purpose that same verie night, wherupon Mr Peter Ewart being in the king's palace, the day following, was desired by the Bishope of St Androes to let him have a sight of their supplication. The bishope reiding the first lyne of it, where it made mention of some brethren of the ministrie conveened, and made noe mention of anie bishope, rent it in great despyte, and said, they were too malapert to conveene without a bishope: he sould make the best of them weare a surplice, seing they handled him efter that maner. The king asked Mr Peter where the other coppie was? he answered, he had noe other. And the trueth is, that some brethren hearing what had fallen out, appointed another brother, viz., Mr Archibald Simsone, to present the other coppie, in case Mr Peter had anie wayes failed, or beene impedit to discharge his commission. When the lords were conveening in the Parliament Hous, Mr Archibald presented the other coppie to the Clerk of Register, to be redd by the estates: but he refused, and acquainted his Majestie therwith; wherupon the king called for some of the bishops to the Inner Hous, and efter some conference had with them, entered in the Utter Hous. When this article was to be redd, his Majestie declared, that he wold passe from it; for he thought it verie prejudiciall to his prerogative and power to be bound to take advise. He wold doe in that mater as he thought good, according to his prerogative.

THE TRUE COPIE OF THE PROTESTATION.

"Most gracious and dreade Soveraigne; most honourable Lords,

and remanent Commissioners of this present Parliament:—We, the ministers of Chryst's Evangel, being heir conveened from all parts of this your Majestie's kingdome, doe in all submission and reverence intreate your Majestie and Honours' patient and favourable heiring of this our reasonable and humble supplication. And first, it will please your Hienes and honourable estats heir presentlie conveened be informed, that we are heir a number of the ministers out of all the parts of this kingdome; and that the bishops have protested since our coming to a great manie of us, that nothing sould be agreed upon, or consented to, by them in this present parliament in maters concerning the wholl kirk, the discipline and order therof, without our speciall knowledge and advyse; affirming also, that neither they nor we have power of consent, in anie innovation, of smallest change of the order of our kirk established, without speciall advyse and determination of the Generall Assemblie representing the bodie of the kirk of the kingdome had therunto. Wherupon we resting in securitie, have receaved now a sudden report, to our great astonishment, of ane article to pas in conclusion, and to receive the force of a law in this present parliament, decerning, that your Majestie, with advyse of archbishops, bishops, and such a competent number of the ministrie as your Majestie out of your wisdome sall think expedient, sall in all tyme coming have full power to advise and conclude in all maters decent for the externall policie of the kirk, not repugnant to the Word of God; and that such conclusions sall have the strength and power of ecclesiasticall lawes. Wherin it will please your Majestie and honorable estates to heare our just greeves and consider our reasonable desire, and not to put us, your Majestie's humble and loving subjects, to that poore and simple point of protestation, which, if remedie be not provydit, we must be forced to use for the freedome of our kirk and discharge of our conscience.

"We then first pleade reformation and puritie in our kirk, in doctrine, in ministration of the sacraments, in discipline, and all convenient order, with the best reformed kirks in Europe, which may stand and have been acknowledgit rather as a paterne to be

followed of others, than that we sould eeke our reformation from anie that never attained to that perfection, which in the mercie of God this long time bygone, under your Hienes, we have injoyed, and are able by reasone to maintaine the same.

"Nixt, We pleade the libertie of our kirk, which by the lawes of your Majestie's kingdome, and diverse acts of parliaments given furth in favour of the same, is established, with power of publict meetings and Generall Assemblies, and allowance to make such canons and constitutions as may serve for the comlie order and decencie of the same; all which, by this conclusion to be taken, must be utterlie overthrowne.

"Thridlie, We pleade for the peace and tranquillitie of our kirk, that being neerest the divyne and apostolicke institution, hath lived without shismes or rentings in it selfe; and by introduction of anie noveltie not orderlie, nor as appertains, may be miserablie rent, and our peace broken.

"Fourthlie, We have beene at diverse tyms sufficientlie secured from all suspicion of innovation, as by your Majestie's letter the last winter sent doun to this countrie, to take away all feare of anie alteration which might arise upon your Majestie's lovinglie intendit journey; which letter, by your Majestie's speciall will and direction of the specialls of your Majestie's counsel, is elswhere intimated in our pulpits. As also, by that proclamation given out the 26th day of September 1605, when rumours of ane intendit conformitie with the Kirk of England was spread abrode: Wherin your Majestie sufficientlie avoydit all such suspicion; and the hearts of all honest men settled themselves in a confidence, that noe such thing sould be attempted.

"These, and manie other reasons, have moved us, in all reverence, by this our humble supplication, to intreate your Hienes and honorable estats, not to suffer the fornamed article, nor anie other prejudiciall to our liberties formerlie granted, to passe at this tyme, to the greefe and prejudice of this poore kirk, wherby the universall joy of manie thousands in this land, who rejoiced at your Majestie's happie arriving heir, sall be turned to murning. Wher-

in as we are earnest supplicants to God, to inclyne your Majestie's heart this way, as the most expedient for the honour of God, and the weill of the subjects; so, if we sall be frustrate of this our reasonable desire, then doe we in all humilitie, with that duetifull acknowledgement of our loyaltie to your Majestie as becomes, protest for our selfs and all our brethren that sall adhere to our protestation; that as we are frie of the same, so must we be forced, rather to incurre the censure of your Majestie's law, than to admitt or obtemper anie imposition that sall not fall from the kirk orderlie conveened, having power of the same."

THE NAMES OF THESE WHO SUBSCRIBED IN THE ROLL, JUNE 27, 1617.

Masters Patrik Galloway, Johne Hall, Andro Ramsay, William Struthers, Robert Scott, Jhone Balfoure, Robert Colvine, Thomas Sydserfe, Henrie Blyth, George Grier, Jhone Aird, James Burnet, Archibald Simsone, William Blacke, Simon Jhonson, William Arthure, William Weems, George Dumbare, Jhone Scrimgeour, James Inglis, William Knox, Jhone Smith, Michael Wallace, Patrik Shaw, Johne Alexander, Robert Murray, Charles Lumisdaine, Patrik Hammiltoun, David Calderwode, Johne Ker, Walter Whytforde, Jhone Chalmers, James Porteous, Luke Sonsie, James Lamb, William Guild, William Dowglas, Jhone Merser, George Chalmer, James Robertsone, Henrie Livingstoun, Jhone Christie, Francis Collace, William Justice, Jhone Weyms, Alexander Forrest, William Jamisone, Alexander Keith, Andro Balfour, Robert Roche, Robert Hæresse, Theodore Hay of Peeblis, Adam Simsone, James Frenche, William Scott.

THE KING'S FEAST TO THE ENGLISHE AND SCOTTISHE NOBILITIE.

Upon the 19th of June, the day of the king's birth, he made a feast to the Englishe and Scottishe nobilitie, in the Castle of Edinburgh, betuixt foure efternoone and nyne at night; and therefter

came doun to the Palace of Halyrudhous, wherunto the people resorted to sie the pastyms with fireworke.

THE KING BANKETED BY THE TOUN OF EDINBURGH.

Upon Thursday, the 26th of June, there was a timber-hous erected upon the backe of the south side of the Great Kirk of Edinburgh, which was decored with tapestrie, where the toun prepared a banket for the king and the nobilitie. The day following, sundrie knights and gentlemen of good note were banketed in the same hous, and made burgesses. They danced about the Crosse with sound of trumpets and other instruments; throwed glasses of wine from the Crosse upon the people standing about, and endit with the king's scoll.

MR ARCHIBALD SIMSONE WAIRDIT.

Mr Archibald Simsone, minister at Dalkeith, was summoned on the Sabboth day following, efter the dissolving of the parliament, to compeere on Monday before the Highe Commission. He compeered, and was committed to waird, for presenting the supplication or protestation above written, and not delivering the roll of the names of these that consented to the protestation. The trueth is, he had given the roll to Mr Patrik Henrison, master of the Song Schoole, who gave it to Mr David Calderwode, minister at Crailing. Mr David was gone south to his kirk, but was forced to returne immediatlie, to compeere before the Highe Commission at St Androes, the 8th of Julie, to which dyet he was summoned. The tenor of the summons heir follows:—

"JHONE, by the mercie of God, Archbishope of St Androes, Primate and Metropolitane of Scotland; and James Archbishope of Glasco, to our lovits * * * * executors heirof, conjunctlie and severallie, speciallie constitute, greeting.

"Forsameikle as it is humblie meaned and showen to us by our

lovit, Mr William Weemes, our Procutor Fiscall, that where upon Fryday, being the 27th of June instant, there being a mutinous assemblie of certane of the brethren of the ministrie assembled in the Musick Schoole of Edinburgh, they caused a protestation to be penned, to be given in to his Majestie and estats of parliament, wherunto Mr Archibald Simsone, minister at Dalkeith, as pretendit clerk, sett his hand, and subscribed the samine for himself, and in name of the rest of the brethren assembled; and for his warrant, most seditiouslie tooke all their hand-writts and subscriptions; and the said Mr Archibald being cited before us and our associats, commissioners appointed by his Majestie's Highe Commission, for exhibition and production of the hand-writts collected by him at that tyme, he declared in our presence that he had not the same in his hands then, and that he had delivered the same to Mr Patrik Henrisone, reader in Edinburgh; and the said Mr Patrik Henrisone being present, declared that he receaved the samine subscriptions from the said Mr Archibald, and that he had delivered the samine to Mr David Calderwode, minister at Crailing; and that the said Mr David Calderwode as yitt retaines the samine, of purpose to caus others of the brethren subscrive the samine seditious protestation, in contempt of the Almightie God, and reverence he ought to his Majestie, our Soveraigne Lord, and regard which he ought to have caried to his superiours; and thereby has declared himself a mutinous and seditious persone, unworthie to beare office or function in the kirk, and ought and sould be censured and punished therefor.

"Therefore, we charge you, that, incontinent this our precept seene, yee pass, and lawfullie summoun, wairne, and charge the said Mr David Calderwode, minister, to compeir before us and our associats, commissioners appointed by his Majestie's Hie Commission, at St Androes, the 8th day of Julie nixtocum, at eight houres in the morning; and there to exhibite and produce the roll, conteaning the hand-writts of the saids Assembleis, and others subscrivers of the said protestation, wholl and uncancellit, as he receaved the samine from the said Mr Patrik Henrisone; and to

answeir for his mutinous and seditious assistance to the said Assemblie, and to heare and sie him punished by all censures that we, by vertue of his Majestie's Hie Commission, may impose upon him; and that under the paine of deprivation of him from all function of the ministrie. Certifying him, that if he compeir not the said day and place, he being lawfullie summoned thereto, the said sentence of deprivation sall be pronounced against him, and we sall caus letters of horning be direct, for denuncing of him his Majestie's rebell, and putting of him to the horne. The quhilk to doe, &c.

"Given under the signet of office of the said Hie Commission, and subscribed by the clerk, at Edinburgh, the last of June, 1617."

THE HIGH COMMISSION SITTETH IN ST ANDROES.

Mr Archibald Simsone, Mr David Calderwode, and Mr Peter Ewart, one of the ministers of Edinburgh, attendit upon the dyet, but it was continued till the 12th of Julie. The king come out of Falkland upon Fryday, the 11th day, dyned with the Bishop of St Androes in Dairsie by the way, and entered in St Androes afternoone, went into the kirk, and heard Mr George Gladstains his sone, the archdeane, his flattering sermone. The day following, the 12th of Julie, there was publict disputation in the kirk, upon some theses of the prince's power, made and susteaned by Mr David Lindsay, then minister of Dundie, now Bishop of Brechine, at which the king himself in a maner acted the part of a præses. That day afternoone, the Hie Commission satt. Before the three brethren above named were called on, the king sayeth to the bishops, and other members of the Hie Commission, "We tooke this order with the Puritans in England. They stoode out als long as they were deprived onlie of their benefices, becaus they preached still on, and lived upon the benevolence of the people affecting their caus; but when we deprived them of their office, manie yeeldit to us, and are now become the best men we have. Let us take the like course with the Puritanes heir." So they fell keenelie to worke, and deprived that afternoone the three ministers above named.

MR PETER EWART DEPRIVED.

Mr Peter Ewart compeered, adhered to his protestation, and, therefore, was deprived, and confined in Dundie.

Mr Archibald Simsone attendit upon the first dyet; but seing it continued to the 12th of Julie, he went home, and sent this letter following for excuse:—

MR ARCHIBALD SIMSONE HIS LETTER TO THE HIE COMMISSION.

"Dum mihi, reverendissimi domini et patres, præ Colica passione quam ex itinere insueto præsertim maritimo, nisi fallor, ad diem dictum convenire non licuerit, hanc epistolam quam dictavi, excusatoriam admittite. Novi nullum inter vos me odisse, nec ego unquam quempiam odi, sed colui et dilexi. Causa tantum nos distinguit. Ego iterum atque iterum testatus sum, conventum illum fratrum legitimum fuisse, vobis etiam consentientibus, protestationem omnibus omnium generum liberam, in re æqua ex lege canonico permissam: unde nos ab omnibus etiam adversariis, Protestantes dicimur. Petrus Evartus scripsit, ego subscripsi, jam rescribo; neuter in hoc peccavit, neque quenquam fratrum assentientium aut pœnitet, aut pudet: et ut vere dicam, eruditissimi hujus regni pastores, reliquique omnes qui manum non admoverant, unanimi consensu has imponendas ceremonias exerrantur. Videte quid sit, mi patres, novam rupturam, priore vix de vobis ipsis composita, in ecclesiam inducere. Onixe precor Deum, ut Regiam sacram Majestatem moveatis, ne subitanea hac impositione novitatis, serenitatem Scoticanæ charitatis in se obnubilet, et ne vos, tanquam primarios hujus Anglicanæ conformitatis administros, *mutatis* mutandis more Anglicano publico odio, ne dicam, *ludibrio exponat*. Non dicam cum Paulo, confundantur; sed *Eliensi* curru in cœlos efferantur, qui nos perturbant. Redeant *si Anglici* Præsules, ut dicam, ad suos, et suis tricis se oblectent; nos Christiana puritate et unitate gaudeamus. Quod si meæ huic admonitioni non assentieritis, quod absit, ego, cum Marco *Attilio* Regulo, Carthaginem

repetiturus, et ne superbe insultem liberrime in ipsis carceribus, si vultis victurus, et vitam hanc jam ferme finitam terminare, si Deus voluit conclusi. Si quid aliud vultis, detur hinc tabellario, egoque die mihi prescripto, si præ valetudine possim, comparebo. Valete."

MR A. SIMSONE DEPRIVED.

The Bishop of St Androes was so enraged at this letter, that he delivered it to the king, wherupon two of the guarde were directed to bring him to St Androes, which was done with diligence. He was deprived, and ordained to be wairdit in Aberdeene.

THE PROCEEDINGS OF THE HIE COMMISSION AGAINST MR DAVID CALDERWODE.

Mr David Calderwode was called on last. The conclusion of his libelled summons was redd. To the first head, he answeired, that understanding Mr Archibald Simsone was wairdit in the Castle of Edinburgh, for not presenting the roll of the names, he went to the castle, and delivered it to him in his owne hand, and, therefore, he could not exhibite the roll. Neither did he in that short space of time seeke anie new subscriptions, nor could he, becaus he had not the protestation to produce to the subscryver.

Then the king demandit what he had to answeir to the other point, the assisting of that mutinous meeting? He ansered, "Sir, when that meeting sall be condemned as mutinous, then it is time for me to answeir for my particular assistance." Secretare Hammilton said to him, "Mr David, acknowledge your owne rashness." In the meane time, these that were standing about putt upon him, and buzed in his eare, saying, "Doe this; come in the king's will; you will find it the best: his Majestie will pardoun you." Mr David answered to the Secretare, "That which they had done was not done rashlie, but with deliberation." "What moved you to protest?" said the king. "Ane article concludit amongst the Lords of the Articles," said Mr David. "Can ye tell me," said

the king, "what was the article ye protested against?" "Yes, Sir," said he, "this was the tenor of it: That your Majestie, with advyse of the archbishops and bishops, and such a competent number of the ministrie as your Hieness thought expedient, might make ecclesiasticall lawes." "What fault was there in that?" said the king. "It cutteth off our Generall Assemblies," said Mr David. Then the king demandit, how long he had beene a minister? he answered, "Twelfe yeers, Sir." Then said the king, "Indeid, when I went out of Scotland yee were not a minister. I heard noe dinne of you till now. But heare me, Mr Calderwode; I have beene ane older keeper of Generall Assemblies than ye. A Generall Assemblie serves to preserve doctrine in puritie, from errour and heresie, the kirk from schisme, to make Confessions of Faith, to put up petitions to the king and parliament. But as for maters of order, rites, and things indifferent in kirk policie, they may be concludit by the king, with advyse of the bishops, and a choise number of ministers. Nixt, What is a Generall Assemblie but a competent number of ministers?" He answered, "As to the first point, Sir, a Generall Assemblie sould serve, and our Generall Assemblies have served these fiftie-six yeers, not onlie for preserving doctrine from errour and heresie, the kirk from schisme, to make Confessions of Faith, and to putt up petitions to the king or parliament, but also to make canons and constitutions of all rites and orders belonging to kirk politie. As for the second point; as by a competent number of ministers may be meant a Generall Assemblie, so also may be meant a fewer number of ministers conveened than may make up a Generall Assemblie. It was ordeaned in a Generall Assemblie, with your Majestie's owne consent, your Majestie being present, that there sould be commissioners chosen out of everie presbyterie, not exceeding the number of three, to be sent to a Generall Assemblie, and so the competent number of ministers is already defyned." "What needit farther," said the king, "but to have protested for a declaratour what was meant by a competent number?" He answered, "In pleading for the libertie of the Generall Assemblie we did that in effect."

Then the king, having the protestation in his hand, challengeth him for the last clause. He answered, "Whatsoever was the phraise of speeche, they meant no other thing but to protest, they wold give passive obedience to his Majestie, but could not give active obedience to anie unlawfull thing which wold flow from that article." "Active and passive obedience," sayes the king. "That is, we will rather suffer than practise, Sir," said he. Then the king said, "I will tell thee, man, what is obedience. The centurion, when he said to his servants, to this man, Goe, and he goeth, to that man, Come, and he cometh, that is obedience." He answered, "To suffer, Sir, is also obedience, howbeit not of that same kind; and that obedience was also limited, with exception of a contramand from a superior power, howbeit it be not expressed." Then said the secretare again, "Mr David, lett alone; confesse your errour." Some of the bishops, and others standing about, pulled on him, and rounded in his eare as before. He answered to the secretare, "That deid was not done by me alone." "Answeir for your owne part," said the secretare. He answered, "My Lord, I cannot see that I have committed anie fault."

Then the king said, "Weill, Mr Calderwode, I will let you see that I am gracious and favourable. That meeting sall be condemned before ye be condemned; all that are in the roll sall be fyled or ye be fyled. Howbeit ye be not last in the roll, I sall make you last, provyding ye will conforme." "Sir, I have answered my lybell," said Mr David; "I ought to be urged noe farther." The king said, "It is true, man, ye have answered your lybell. But consider I am here; I am a king; I may demand of you when and what I will." He answered, "Surelie, Sir, I gett great wrong, that I sould be compelled to answere here in judgement to anie more than to my lybell." "Answer, Sir," said the king. Then said he, "If noe better may be, I will answeir to your Majestie." "I am informed," said the king, "ye are a refractare: the Bishop of Glasco, your ordinar, and the Bishop of Caithness, the Moderator of your Presbyterie, testifie that yee have keeped noe order: ye have repaired neither to presbyteries nor synods,

and is noe ways conforme." He answered, "Sir, I have beene confyned these eight or nyne yeers, so my conformitie or not conformitie in that point could not be knowne." "Good faith! thou art a verie knave," said the king. "See thir same false Puritans: they [are] ever playing with equivocations." The Bishop of Glasco said to Mr David, "If ye was confyned, how was ye at the meeting in the Song Schoole?" He answered, "Since I was confyned I obtained a libertie, with exception of presbyteries and synods: that meeting was neither a presbyterie nor a synode." Then said Glasco, "Ye know, Mr David, ye contested with me not long since." He answered, "True, eight or nyne yeeres since, when ye were not a bishop authorized with ecclesiasticall jurisdiction, but came under the colour of a visitour, to visite our presbyterie, but to dresse your owne turnes; and I declyned upon sufficient reasons." "But ye were condemned," said he, "in the Generall Assemblie which followed," meaning the Assemblie holden at Linlithgow, in the yeere 1608. "I know not," said Mr David, "whether I was condemned or not; for I was confyned, and had no accesse to complaine to that Assemblie, or to defend my declinatour." The trueth is, there was no such mater as the condemning, either of that or anie other declinatour at that Assemblie; onlie the travells of the visitours were allowed, or, at the least, not controlled in that Assemblie; the bishops seeking in outward shew reconciliation with their opposits, both in affection and judgement, and therefore were they not challenged. Then said the bishop, "His Majestie will relaxe you presentlie, that yee may come to the presbyteries and synods." "I never refused," said Mr David, "to come to presbyteries; and if we (meaning himself and George Johnstoun, minister at Ankrome) had gottin the extract of our relaxation, which was proclaimed at the Crosse of Edinburgh, two or three yeers since, I had come to the presbyterie." "Ye might have gotten it," said the bishop. "Not," said the other, "for my consort, George Jhonson, when he was urged by the presbyterie, could not gett it; and ye promised in the synode to gett it to us, but ye did it not." Then said the king, "If ye

were relaxed, what wold ye doe? will ye obey or not?" He answered, "Sir, I am verie farre wronged, in that I am forced to answeir such questions which are beside the libell; yit seing I must answeir, I say, Sir, I sall either obey, or give a reasone wherefore I disobey; and your Majestie knowes I am to ly under the danger, as I doe now." Then said the king, "That is, to obey either active or passive." "I can goe noe further," said Mr David, and so he was removed.

When he was called in againe, his relaxation was intimate to him, that he might repair to presbyteries and synods, and withall, the sentence of suspension from the ministrie till October nixt to come was pronounced, and the Bishop of Glasco ordained to deprive him, in case he came not to the synod at that time, and promised conformitie. "Now," said the king, "ye have time till advise whill October, whether ye will conforme or not; ye neid not take paines to studie a text against Sonday for the people." Then said Mr David, "I heard your Majestie this day, in the publict disputations, disclame the power of deprivation *primario*. Suspension *primario* is a degree to deprivation *primario*, and both are ecclesiasticall censures." "It was not I, man, that pronounced the sentence," said the king; "I wold have removed, but they wold not let me. It was the Bishope of St Androes that pronunced the sentence." Then said Mr David, "Please your Majestie, then let me speake to them." So he turned to the Bishope of St Androes, and to the rest standing on his right side, and said, "Neither can ye suspend or deprive me in this court of Hie Commission; for ye have no farther power in this court than by commission from his Majestie. His Majestie cannot communicate that power to you which he claimeth not to himself." The king wagged his heade, and spake som thing to the secretare. Then he said to Mr David, "Are they not bishops, and fathers of the kirk; and as ecclesiasticall persons clothed with the kirk's authoritie, have power to suspend and depose?" "Not in this court, Sir," said Mr David: at which words, there aryseth a confused noise, and therefore he extendit his voyce, that it sould not

be drowned with theirs; and least he sould have beene stopped, spak these words with one breath, "They have noe power from the kirk; for all the power they have granted to them by the Act of Glasco, which is all the power they have from the kirk, is onlie that everie bishope in severall, associating to himself some of the ministers of the bounds where the delinquent is, may suspend or depose, and onlie in such and such cases. That is not, nor can not be done in this court; therefore, I misken your sentence."

Efter the king had spoken some words to the Bishope of St Androes, the bishope said, "His Majestie sayeth, that if ye will not be contein to be suspendit spirituallie, ye sall be suspendit corporallie." Mr David perceiving the king had putt the words in his mouth, turned him to him, and said, "Sir, my bodie is in your Majestie's hands, to doe with it as pleases your Majestie; but als long as my bodie is frie, I will teache, notwithstanding of their sentence." Then said the king, "What, man? howbeit, I take not upon me to pronunce the sentence of suspension, yit *Regis est cogere:* I have power to compell anie man to obey the sentence of the kirk, when it is pronunced." "Sir," said Mr David, "their sentence is not the sentence of the kirk, but a null sentence in it self, and, therefore, I cannot obey it." Then Mr Law, Bishope of Glasco, rounding in Mr David's eare, said, "Ye are a wise man! ye wait not who are your freinds." Mr David rounded lykways to him, and said, "Wherfore brought ye me heir?" for he saw it was their drift to have him give place to the sentence. Others in the meane tyme were revyling him, and calling him a proude knave; others uttered other speeches which he could not take up for confusion of their voices; others were not ashamed to shake his shoulders, and dunche[1] him in the necke. The king demandeth, in the meane time, if he wold absteane from teaching for a certaine time; in case he sould command him by his regall authoritie, as from himself? He answeired, thinking his Majestie had beene still urging obedience to the

[1] Thump, punch.

sentence pronunced, being disturbed by shaking, touking,[1] confused speaking of these that stoode by, "I am not mynded to obey." The king asked againe, "What if I command you? will ye not obey?" He answered as before, still thinking that his demand was relative to their sentence onlie. Then againe the king said, "Will ye not obey?" He still answered as before, not knowing that he required obedience to anie thing but to the sentence pronunced, becaus the king repeated his first demand in full termes. The king mistaking him, as if he had obstinatlie refused to cease a certaine tyme from teaching at his owne command, was incensed, and so he was removed the second tyme.

When he was called in againe, the sentence of deprivation was pronunced, and he was ordained to be putt in closse waird in the Tolbuith of St Androes, till his Majestie's farther pleasour were knowne, as he tooke it; but as Mr Edward Mairshall, clerk to the Hie Commission, reported, till farther order were taken for his banishment. The bishope addit, that he deserved to be used as Ogilvie the Jesuite, who was hanged for denying the king's power. When he wold have answeired, the Bishope of St Androes said, "Noe answeir." Mr David said, "Noe answeir be it then." The secretare said, "Mr David, if ye will answeir to anie thing, answeir to your lybell." He answered, "My Lord, I have answeired long since to my libell." The king in a great rage said, "Away with him! away with him!" Mr David was much moved that he gatt not libertie to answeir; for howbeit he could not resist closse waird or banishment, yit he was resolved to oppone to the sentence of deprivation. Yit in effect he prevented it, when he opponed to the sentence of suspension, and alledgit that both were ecclesiasticall censures.

When the king had commandit to take him away, Sir David Murrey, Lord of Scoone, tooke him by the arme, to leade him out. They stoode a certaine space before the castle gate, waiting upon one of the baillies of the toun. In the meane time, Mr David said to Scoone, "My Lord, this is not the first lyke turne

[1] Tugging.

that has fallen into your hands." "I must serve the king," said he. Then said Mr David to the ministers who were standing beside, "Brethren, ye have Christ's caus in hand at this meeting; be not terrified with this spectacle; prove faithfull servants to your Maister." Then came the commissar, Mr Thomas Henrisone, one of the members of the Hie Commission, out of the chappell, and upbraidit Mr David before the whole companie standing beside, saying, "Fy on you, man! what is this ye have done? Ye said often ye wold not obey the king himself, howbeit he sould command you to cease from teaching for a tyme." "Not so," said Mr David. "Yes, but it is true," said the commissar. Then began Mr David to think, that belike he had mistaken the king's demand. They went all forward from the castle gate to the tolbuith. By the way, one demandit at Scoone, "Where away with that man, my Lord?" "First to the tolbuith, and then to the gallouse," said he. There accompanied them about fourtie ministers and gentlemen. When they came neere to the tolbuith, neither the baillie nor the key could be had, and, therefore, my Lord of Scoone sent Mr David up to his owne lodging, which was neere to the tolbuith, and caused some attend upon him. Mr Patrik Lindsay went up to him, and upbraidit him, but he sent him packing away from him. At last, the keyes were gotten, and he was putt in closse waird. That night resorted to him ten or twelfe of ministrie, betuixt nyne and ten of the clocke, to whom he reported what had past; and understanding by them that Mr Thomas Henrison's speeches were confirmed, by a constant report in the toun, he formed the day following the declaration and petition following:—

"GRACIOUS AND DREAD SOVERAIGNE,—When I heard it constantlie reported, that I refused absolutlie to desist from teaching a certaine time, notwithstanding your Majestie sould command me, I protest before God, I have mistaken your Majestie's speeches, if your Majestie has uttered anie suche thing; for my mind was so distracted with the varietie of speeches of such as

were present, speeking to me at one time, that I could not judiciouslie consider your Majestie's words. I conceaved noe further for that present time, but that your Majestie did not command, but demand, whether I sould acknowledge the sentence of suspension pronunced by the bishope, and obey it or not? Your Majestie's owne commandement undoubtedlie I wold have obeyed, and by thir presents in all humilitie offers my obedience. Beseeking your Majestie to sett me at libertie, that I may give an evident proofe of the same."

The Bishope of St Androes understanding by Mr Alexander Kinneir, that he was to send such a petition, desired to have a sight of it. When he redd it, he said, "I think this sall doe the turne;" and tooke in hand to present it himself. Mr David suspecting that he had purposlie taken it in hand, to the end he sould not imploy another, sent another copie to the Laird of Dalhoussie, and the Shereffe of Teviotdaill, whom he intreated to intreate Sir Jhone Ramsay, Viscount of Hadingtoun, to present it to the king, for the respect they caried to my Lord Cranstoun. But before he gatt occasion, the bishope presented his copie. When the king redd the first part, he said, "How could this be? the man had all his senses: the devill nor he had beene reid wode,[1] and by his mynd, and then I had not beene so angrie at him." When he redd the later part, he became calme againe, but the bishope incensed him againe; for the bishops could not be content to have the obedience to the king's command expreslie distinguished from obedience to their sentence. The Viscount of Hadingtoun presented his copie in the bed-chalmer efter that. The king made a marke upon the edge of it, and said, "I will ken it by this marke among a hundreth: I sall advise upon it." But the Viscount was not cairfull to require an answeir efter.

The bishops and their favorers had given out that Mr David had made a recantation, which could noe wayes be collected out of the former petition; for he offered onlie in it to desist for a certaine

[1] Stark mad.

time from preaching, at his Majestie's pleasure or command, which, as the case stoode with him in the meane time, he thought expedient. But he did not acknowledge their sentence, yea, did not acknowledge that the king himself had power to sententiate in that maner, and as a judge. Yea, the bishops were greeved, becaus he wold not acknowledge their sentence; for Mr Walter Whytfoorde came to him upon Tuysday, when the court was to goe of the toun, and said, "Doe but one thing, and the bishops will gett you your libertie." "Will they get me my libertie?" said Mr David. He corrected his speeche, and said, "They will labour to get it." "Weill, what is it they wold have me to doe?" said Mr David. "To admitt their sentence," said he. "I will rather be banished out of the countrie," said Mr David.

The Laird of Corse, now Bishope of Aberdeene, whether directed by the bishops to speake with him or not, I am not certaine, said, "Ye may obey anie unjust sentence, howbeit ye acknowledge it not." "How can that be?" said Mr David: "can I be silent, seing their sentence is null?" "Carie they not their power with them whithersoever they goe?" said Mr Walter. "Not," said Mr David; "for then they might bring the power of the Hie Commission to the synode." By this conference the reader may perceave, that the mistaking of the king's last demands, when he was disturbed by these that stoode by, was accepted as a sufficient excuse of his answeirs to them; and that the true cause of his wairding or banishment was the not acknowledging of the sentence of the Hie Commission. That day efternoone there was a charge sent to transport him to the jayle of Edinburgh, to be deteaned thair, till he found caution acted in the books of Secreit Counsel for his departure out of the countrie, conforme to the ordinance of the counsel given theranent. The tenor of the charge heir followeth:—

"The Lords of Secrete Counsel having given order and direction for transportation of Mr David Calderwode, from his waird within the tolbuith of this burgh of St Androes, to waird within the tolbuith of Edinburgh, there to remaine, ay and whill he find

caution acted in the books of Secrete Counsel for his departure furth of this realme, conforme to the appointment and ordinance of counsel given theranent: Therefore, ordaines the provest and baillies of St Androes, upon sight heirof, to render and deliver the said Mr David Calderwode to the captane, leivtenant, or such of the guard as sall be directed to them, to the effect they may transport and deliver him to the provest and baillies of Edinburgh, to be committed by them to waird, as said is. And for this effect, ordaines also the provest and baillies of Edinburgh, upon sight heirof, to receive the said Mr David, and to committ him prisoner to the said waird, therin to remaine untill he find caution for his departure, as said is. Wheranent thir presents sall be a sufficient warrand.

"Given at St Androes, the 15th of Julie 1617.

"SANCT ANDROES.

"BINNINGE."

THE MINISTERS OF EDINBURGH RECANT.

Efter the thrie ministers were deprived in the Hie Commission, Mr Johne Hall, Mr Patrik Galloway, and Mr William Struthers, and Mr Andro Ramsay, ministers of Edinburgh, were sent for. They craved his Majestie's favour on their knees, and declared, that if they had knowne that his Majestie wold have taken offence at them for their conveening and subscriving the Protestation, they wold not have done it: and so gott a kisse of the king's hand. They exhorted Mr Peter, and the said Mr David, to maintaine constantlie that which they had done, promising to assist them. But they not onlie professed their repentance for the good service they had done to the kirk, but have also since practised and preached farre contrare to that which they avowed in their protestation.

A MEETING OF MINISTERS AT SANCT ANDROES.

The day following, that is, the Lord's day, the 13th of Julie, the

ministers which were written for, or sent by the synods, conveened efternoone. The king was incensed at the bishops, speciallie at the Bishope of St Androes, becaus they made him beleeve they had so dressed all maters, that he had noe more adoe when he came to the countrie but to give his presence. But now, finding himself disappointed, he call them dolts and deceivers. To please him, they presented to the ministers conveened the five articles, which were efter concludit at Perth. They answeired, they could not medle with these maters, and desired they might be referred to a Generall Assemblie. The king seemed to be content with the answeir.

THE KING AT STERLINE AND GLASCO.

Upon Monday, the 21st of Julie, the king dined in Alloway, and went backe to Stirline. Whill he was at Sterline, he heard the regents of the Colledge of Edinburgh dispute upon some philosophicall theses. He was weill pleased with the dispute, and tooke upon him to be Patrone of the Colledge of Edinburgh, gave it the name of King James his Colledge, promised to provide a rent for it, and ordained his armes to be sett upon the gates therof. Therafter he went to Glasco. Whill he was at Glasco, there was a gentleman's child baptized in the King's Presence Chamber, by an Englishe bishope, the king himself being present.

After the charge sent to the baillies of Edinburgh, Mr David Calderwode was delivered, efter three dayes imprisonment, to two of the guard, to be transported to Edinburgh. He entered in the jayle of Edinburgh the 18th of Julie. Howbeit sundrie offered themselfs willinglie cautioner for him, that he sould depart out of the countrie, the ordinance of the Counsell could not be had, whereby they might understand the summe or time appointed. Neither James Primrose, clerk to the Secrete Counsel, nor his servant, Laurence Keir, who was in St Androes in the meane time when the charge was given, nor Mr Edward Marshall, clerk to the Hie Commission, had anie such ordinance; nor could the said Mr David gett

libertie, upon caution to remaine in the toun, till the appointment of the counsell were made manifest. So he was forced to enter and remaine in the jayle. The Bishop of St Androes promised, when he came to Edinburgh, to give a warrant to the baillies to let him out, upon caution that he remained in the toun. He came on the morne efter he entered in waird, but for noe intreatie would give suche a warrand; yea, he confessed efterward to James Cranstoun, sonne to my Lord Cranstoun, that the king and they had a purpose to keepe him in closse waird till a shippe were readie, and to transport him out of waird to the shippe immediatlie. It was reported, that their intention was, to send him first to London, and from thence to Virginia. Mr David finding himself disappointed, formed this other supplication, to be sent to the king:—

"MOST GRACIOUS SOVERAIGNE,

"In all humilitie I doe againe declare to your Sacred Majestie, my mistaking of your Majestie's last speeches, when your Majestie did demand of me, if I would obey your Majestie, and absteane from teaching till October nixt to come, if your Majestie did command me; for I protest before God, that I conceaved your Majestie as still speeking of the sentence pronunced, and not as from your Majestie's self. If I had taken it as from your Majestie's self, in all humilitie I wold have givin obedience. And to testifie the trueth of my most humble and readie submission, I am willing to absteene during the time injoyned by your Majestie; humblie beseeking your Majestie to sett me at libertie, and relaxe me from the last sentence of exile, and to mitigate the same in some measure, as it sall please your most gracious Majestie."

When James Cranstoun, sonne to my Lord Cranstoun, came to visite Mr David, and offered to employ his credite for him, he requeisted him to carie his petition to court, to seeke a gracious presenter; which he did most willinglie. Before he went to Glasco, he intreatted the Bishop of St Androes for him. The bishop desired him to seeke a presenter, and promised to assist.

He went first to Sterline, and from thence to Glasco; attendit eight dayes. Noe man would offer to present his petition, but Robert Hay, one of the Bed-chalmer, who presented it secretlie. The king answered calmelie, that he and the bishops had concludit what sould be done in that mater. The Bishop of St Androes was a secrete enemie, and undermyned the gentleman. Yit through importunitie among noblemen, courteours, counsillours, bishops, he obtained this act following:—

"*Apud Glascuam, vigesimo septimo die mensis Julii, anno Domini millesimo sexcentessimo decimo septimo.*

"The which day, in presence of the Lords of Secrete Counsell, compeered personallie James Cranstoun, sonne to William Lord of Cranstoun, and acted and obliged him and his aires, as cautioner and sovertie for Mr David Calderwode, minister at Crailing, that the said Mr David, betuixt the date heirof, and the feast and terme of Michaelmes nixt to come, sall depart, and passe furth of his Majestie's dominions; and not returne againe within the same, without his Majestie's licence first had and obtained thereto, under the paine of five hundreth merks.

"*Extractum de libris actorum Secreti Consilii S.D.N. Regis, per me, Jacobum Primrose, clericum ejusdem, sub meis signo et subscriptione manualibus.*

"JACOBUS PRIMROISE."

Upon this act, he purchassed a warrant to the provest and baillies of Edinburgh to sett Mr David at libertie. So he was delivered out of the jayle the 28th of Julie. During the time that he was in the jayle he found great favour, and that by the allowance and direction of the magistrats, speciallie the provest, Sir William Nisbit, and was encouraged with the kindlie visitations of manie good Christians. He was noe sooner gone home, but a letter is sent after him, penned by James Primroise, to intimate to him, that it was his Majestie's will that he sould forbeare to preache during his stay within the countrie; and that sould have

beene expressed in the act as one of the conditions. He willed him to be warre that he involved not himself in a new trouble, and so frustrate the hopes of his releefe and reconciliation. He was informed after, that the chancellour and secretarie fearing his Majestie sould have blamed them, chydit him for omitting that condition. But it was his minde, howsoever, to have desisted till October, becaus of his offer he made the king in his first petition.

When Mr David heard that the king was to be in Carlile, he went with my Lord Cranstoun to Carlile. My Lord, at the requeist of his ladie, Dame Sara Cranstoun, a mother in effect to the said Mr David, and at his owne requeist, presented a petition to the king in his favours. He could find none to assist him either nobleman or courteour; onlie the Vicount of Hadintoun forewairned the king that he was to present it. The Vicount was diverted from assistance by Sir Johne Cranstoun, now Lord Cranstoun, and his uncle, as Mr David collected by sindrie præsumptions. My Lord waited long upon the occasion, but could not find it, till he was called in with the rest of the commissioners of the borders; and then he presented it at his first entrie. The summe of it was, to have Mr David confyned within his owne paroche, and to offer himself cautioner, that he sould not resort either to presbyterie, or anie other meeting of ministers, publict or private. The king entered in and continued purpose with the commissioners; which being endit, my Lord was instant for a gracious answere. The king inveighed against Mr David, and at last repelled my Lord with his elbow. Within two houres after, my Lord was called for againe, with others who had lands on the borders, to be answerable for these that dwelt under them; and then againe at his goodnight, he sought a prorogation of the time appointed for Mr David's departure out of his dominions to the last of Aprile, that the winter seasone were past, and his stipend taken up, for the crope of yeere wherin he served. The king answered, Howbeit he begged, it were no mater: he would ken himself better the nixt time. As for the seasone of the yeere, if he drowned on the seaes, he may thanke God that he had escaped

a worse death. Yet my Lord being importunate for prorogation, the king answered, "I sall advise with my bishops." When my Lord was insisting with the king, the Vicount of Hadintoun, Sir Johne Ramsay, being in my Lord's chamber, willed Mr David still to hope, for princes were not wonne the first day. "If ye will promise conformitie, I will yit travell for your releefe," said he. "That is a verie hard condition," said Mr David. He groweth hote, and among other speeches, he said, "I trow, ye dow not heare the name of a bishope." "Yes," said Mr David merrilie, "I dow heare the name of the devill." He had said himself a little before, when one was reproved for banning, "The devill may be named to some goode purpose." He had beene at drinke a litle before. When my Lord came in, he renewed at his goodnight his promises to be an earnest solister for Mr David. But he so incensed the king with that merrie chamber conference, and perhaps harder informations he had gotten from Mr David's unfriends, that the king therafter, at dinner and supper, at Broomcastle and other places, called Mr David a refractorie foole, who avowed that he might abide the name of a bishop, nor the name of the devill. The king entered in Carlile the 4th of August, and belike, some informed the Vicount what was Mr David's minde of the 5th of August.

THE KING'S PROGRESSE THROUGH THE WEST OF ENGLAND.

Some of the nobilitie went forward with the king. The Bishop of St Androes went to the baines,[1] pretending he was diseased. In the meane tyme ariseth a scandall, that his wyffe's maid was with childe to him. When the king went through Lancashire, he rebuked some of the sincerer sort, for prohibiting lawfull recreations and honest exercises upon Sondays, and other holie dayes, efter the efternoone sermon or service; and gave order, that the people sould not be barred from lawfull recreations at these times. This

[1] Bagnios, baths.

libertie was extendit to all the shyres within England, as the declaration sett furth in print the yeere following beareth.

JHONE MURRAY'S CHILD BAPTIZED.

Upon the 19th of August, Johne Murrey, groome of the king's bed-chalmer, had a man child baptized in the Royall Chappell, about one efternoone or thereby. Mr William Cowper, Bishop of Galloway, Deane of the Chappell, preached. There was playing of organes, and singing of men and boyes, both before and efter sermone. The bishope came doun, efter sermone, to a table standing in the floore, covered with fyne linnen of cambridge,[1] where there was also a basen of silver and a lawer, with some cuppes. The infant was presented by the Countesse of Eglintoun. Efter the baptisme, some hippocrasse and wafrons were presented to the noblemen and noblewomen, and others beside, to eate and drinke.

MR D. CALDERWOD'S TRAVELS FOR HIS LIBERTIE, OR AT LEAST PROROGATION.

Mr David Calderwode ceased not, notwithstanding of all the former repulses and discouragements, to use all the meanes he could for his libertie. My Lord Cranstoun gave in a petition to the counsell for a prorogation of the time. The lords wold not medle with the mater, but referred it to the bishops. My Lord solicited the bishops to procure a prorogation from the king. They answered, they could doe nothing whill they conferred with Mr David himself. At my Lord's desire, Mr David went, and had with him, to beare witnesse, Mr William Struthers, Mr William Cranstoun, Mr Michael Cranstoun. There were present with the Bishop of Glasco, in his lodging, the Bishops of Rosse, Orkney, and Caithnes. They said, they could not write up in his favours

[1] Cambric.

for prorogation, except he wold condescend to three things; first, To confess he had offendit his Majestie, and to crave pardone for his offence; nixt, To repaire to the presbyteries; thridlie, To repaire to synods. He answeired, he was never against repairing to presbyteries; he wold advyse upon repairing to synods. He could not confesse an offence in generall, for it might have beene applied to anie particulare the king and they pleased, either the assisting to the Protestation, or refusing of conformitie, or opponing to their sentence. Then the Bishope of Glasco descendit to a particulare. "Ye remember," said he, "his Majestie's demand which ye mistooke, and answeired unreverentlie, was this, If I command you to obey their sentence, will ye not obey me?" "Noe," said Mr David, "ye confound two demands, and unite them in one." So he deduced all that past in the Hie Commission, efter the pronuncing of the sentence of suspension to the second removall, conforme to that which is above written, which none of them could controll. "So," said he, "I will not simplie, nor in generall termes, confesse an offence, least it be applyed to anie particulare. Neither yit will I confesse, that in anie particulare I have offendit, except in my unreverend answeirs to his Majestie's last demand, which I mistooke, if error or mistaking may be called an offence." When they urged him to repair to the synods, the Bishope of Glasco said, he sould have libertie to vote and reasone, but he must not querrell everie thing. Mr Jhone Abernethie, Bishope of Caithnes, said, "Come and say *hic sum*, and therefter doe as ye please." He answeired, "That *hic sum* is the question." Then said the Bishope of Glasco, "We will not enter in disputation; yit I wold heir, wherfore ye will not grant to repaire to the synode." He proved by Jesuits, canonists, and their own act of Glasco, that their diocesan synods were but Episcopall visitations, not councels properlie so called; and howbeit councels, yit not frie councels, in respect the bishope had power over everie minister in the synode, apart from the synode; was moderator in respect of his Episcopall office; was not countable to the synode, and we had not ordinare Generall Assemblies to tak order with them. One wold have

proved the acknowledging of the synode due by acknowledgment of the presbyterie. When Mr David wold have answered, the Bishope of Rosse stayed him, and so that reasoning ceased. The conference continued from nyne at night till elevin. At parting, they desired him to advise upon better answeirs. He sett doun his answeirs to the articles in writt.

My Lord Cranstoun went doun to Mr Patrik Galloway's house, where some of them was at dinner the day following, and intreatted them as before. They answered, it behoved Mr David to answeir, otherways he must confesse his fault simplie, repair to the synods and presbyteries. They addit, which they urged not the night before, he must promise conformitie. Some of them craved a promise not to wryte against the established orders of the kirk. "Further," said they, "his answeirs must not be called answeirs to the articles proponed by the bishops, but offers made to the bishops." Mr Patrik Galloway said, "My Lord, I will summe up in two words all that he sould doe. Let him confesse simplie that he has offendit the king, and promise conformitie." My Lord was moved, becaus he thought himselfe mocked by them. Mr David changed the name of ANSWEIRS in the name of OFFERS, reteaning still the substance, the tenor wherof followeth :—

OFFERS MADE TO THE BISHOPS BY MR DAVID CALDERWODE, THAT THEY MAY THE BETTER INTERCEDE FOR PROROGATION OF THE TIME APPOINTED FOR HIS BANISHMENT, OR ELS CONFYNEMENT.

"First, Wheras his Majestie did demand, if I wold desist from teaching for a certane tyme, incase his Majestie sould command me, as from his Majestie's self, and I refused, I protest I am sorie and beseeks his Majestie to pardone that my oversight, seing it proceidit from misconception, and mistaking his Majestie's speeches, and seing I have given a prooffe of my obedience; for I have hithertills desisted from preaching.

"Nixt, I offer to repaire to the presbyteries, neither was I ever unwilling to doe the same.

"Thridlie, I offer to seeke by all lawfull meanes a resolution, whether I may repair to the diocesan synods or not; and therefter, sall give my last answeir, within the time prescribed to me."

My Lord Cranstoun sent these offers to the bishops. They found noe other thing, but that which he had answeir by the night before. They sie, that he will neither confesse a fault for the protestation, promise conformitie, nor acknowledge the sentence of suspension or deprivation pronunced by the Hie Commission. Yit it pleased them to send for Mr William Struthers, and shewed to him that part of the letter which they were to send up to the king, which concerned Mr David, to beare witnes that they had written in his favours. They sett doun in the letter the substance of the offers, and that they hoped for his conformitie, howbeit they had noe hope at all, as the Bishope of Glasco himself confessed efterward to my Lord Cranstoun, before Mr William Struthers. When the nixt counsel day approached, Mr David went with my Lord Cranstoun, to understand what answeir was returned from the Bishope of St Androes. But there was none as yit returned, if the Bishope of Glasco may be beleeved; for the Bishope of St Androes was deteaned in his journey to the baines, ten days longer than he expected, and that through the sicknes and departure of his servant, Robert Blount; and so had not yit mett with his Majestie. Wherupon my Lord Cranstoun groundit a new petition, at the desire of the said Mr David, to be given in to the counsel the 10th of September, for confynment within the paroche, or els prorogation to the last of Aprile, in respects the bishops had written a letter to the Bishope of St Androes, and the counsel was not to sitt againe whill Michaelmes, the time appointed for his banishment, and so he sould be frustrate of all hope of releefe; for the prorogation behoved to pas by act of counsel, as the act of banishment did. The Bishope of Glasco seemed in the morning, to my Lord Cranstoun, content; but efternoone, efter that Abernethie, Bishope of Caithnes, and Bannatyne, Bishope of Dumblane, had dyned with him, the most my Lord Cranstoun and the Laird of Aytoun could obteane of him was to assent to the

petition, if the counsel did consent. He knew verie well the counsel wold not medle in these maters. When the petition was redd, the chancelour said, "We cannot medle in these maters; it belongs to the bishops: what they doe in it we sall allow." The Bishope of Glasco answered not with allowance, as he promised, but said, he had written to the Bishope of St Androes concerning that purpose, but the answeir was not returned. So Mr David was left againe in the hands of the bishops, and cogged with their cousenage.

Efter the counsel dissolved, Mr William Struthers, at Mr David's desire, and Mr Michael Cranstoun, at my Lord Cranstoun's directioun, went to the Bishope of Glasco. The bishops condescendit that Mr David sould have twentie dayes leasure, efter the returne of the answeir from the Bishope of St Androes; or if it were not returned, twentie dayes efter the returne of the Bishope of St Androes himselfe, that he might prepare himself for his departure, in case the prorogation to the spring were not granted by his Majestie. The Bishope of St Androes returned about the end of September. He promised before his departure to deale for Mr David. But now he reported, the king wold heare no man speake of that purpose; and that when anie of the Englishe ministers came to him to congratulate his returne, his commone answeir to them was, "I hope you will not use me so unreverentlie, as one Calderwode in Scotland did." He reported likways, that the king wold have a Generall Assemblie holden, and the five articles reasoned and concludit; but was not till appoint time nor place till the commissioners were chosen. This was done of purpose, that the Assemblie might be indicted or not indicted, as the bishops sould find whether the commissioners chosen might serve or hinder their purpose.

The Bishope of St Androes came to Edinburgh the nixt counsel day, the first of October. My Lord Cranstoun wrote to him to procure confynment or prorogation to the spring to Mr David. He wrote backe ane answeir, tooke God to witnes that he had suted carnestlie for a *supersedere* till Marche, but could not prevaile. But consider, good reader, that if they made an officious

lie to the king, that they had hope of Mr David's conformitie, whether the king wold have granted a prorogation or not. But they were inured to lie, and had a custome to shew one letter, but to have another secrete, which was not seene but by the king, or their secrete agents.

Mr David went home to prepare himself for his departure, thanking God he had used all lawfull meanes he possiblie could for libertie to remaine with his owne flocke at home. The bishops reported, that all the question betuixt them and him was for repairing to diocesan synods; which was not true. Neither did they promise to obteane his full libertie, incase he wold promise to come to the diocesan synods; but onlie that they wold sute for a prorogation to the spring, incase he wold yeeld to the thrie articles proponed to him; and when the prorogation were expired, they were purposed, noe doubt, to urge farther. Howbeit he was resolved not to repair to the synods, yet he required onlie a tyme for resolution; and his last answeir, which could not hâve beene refused to a Jesuite, or a Seminarie Preist, partlie least they sould reject all sutes made for him, partlie to try whether they wold suffer him to teache in the time of the prorogation, without the acknowledgment of their sentence of suspension or deprivation, and, consequentlie, without reposition by them, that so they might kythe in their owne colours; for this was the point, together with full conformitie, which they were seeking; for his libertie was offered, both in St Androes and Glasco, incase he wold conforme, which they knew verie weill he wold altogether refuse. But by this means they thought to be avenged upon him for the frie speeches he used at a meeting of some bishops and ministers in the New Kirk, in time of the last parliament.

The Bishope of Caithnes, Mr Jhone Abernethie, was not idle in the meane time: for he being minister of Jedburgh, a toun in the farrest south, and Bishope of Caithnes, a diocie in the farrest north, thought he could not sitt as a non-resident with ease in Jedburgh, if Mr David had libertie to stay at home with his owne flocke at Crailing, a village distant but two myles from

Jedburgh. He laboured before, eight or nyne yeirs since, with the Bishope of Glasco, to have him denunced rebell, and putt to the horne, that he might be constant moderator of the presbyterie. But it pleased God, that he gatt favour of the counsel, to be confyned within his owne paroche; yit Mr Abernethie having now attained to the bishopricke of Caithnes, could not rest satisfied with the confyning of Mr David, but tooke hold of this occasion to worke his overthrow by secrete instigation of the bishope, namlie, Mr Law, Bishope of Glasco. This bishope has his residence yit still in Jedburgh, that is, from the 1617 yeer of God till the 1627, and has not all these yeers seene his diocie foure or five times, at which time he went to gather his rents. The like abuse has beene rare in the time of darke Poperie itself: for where read we of one that has beene a bishop of a diocie in the North part of the countrie, and a paroche preist in the South?

MR J. BROUN CARIED AWAY CAPTIVE BY THE CAPTAINS OF THE WAUGHTERS.

Mr Johne Broun, servitour to the Duke of Lennox, and admirall-depute under him, went to the seaes about the beginning of August, to lift the king's assise duetie of the fishe from the Hollenders, who fished in our North seaes. He had with him for his warrant the king's commission under the great seale, and Captaine David Murrey, with one of the king's shipps. The captains of the waughters desired him to come aboord, that they might consult what was best to be done. After they had enterteaned him a prettie space, they told him they had a commission to carie him to Holland, and detained him. Captaine Murrey made noe impediment, but returned, and sent advertisement to the king, who was then at Carlile. The king sent to the Provest and Baillies of Edinburgh, and others on the sea coast, to apprehend maisters or skippers of Fleming shipps, to commit them to waird, and to arrest their shipps. The like direction was sent to London. He sent likewise to his ambassador, Carleton, lying in Holland, to

expostulate with the Estates, for the insolencie committed by the captains of the two waughters, and to crave that they be sent to him to be punished. Mr Johne Brown returned to Scotland upon the 20th of October, and reported, that when he was sett on land in Holland, noe man seemed to take notice of him, nor wold have done, howbeit he had stayed never so long.

THE ASSEMBLIE HOLDEN AT ST ANDROES.

The bishops held their diocesan synods for the most part in the moneth of October, wherat were chosen commissioners for the Generall Ascemblie which was to be indicted: a preposterous order, but agreeable with the corrupt course which the bishops had in hand; for they would not indict an Assemblie till they were first acquaint with the names of the commissioners, who were chosen in their presence, and where they had authoritie. Yit there was some nominated by the brethren of Fyfe, in the diocesan synod holden at St Androes, the 5th of October, who mislyked the Episcopall governement. But the bishope wold not allow their nomination. The diocesan synode was not holden till the 4th of November, upon which day, the Generall Assemblie was indicted by open proclamation and sound of trumpet, at the Mercat Crosse of Edinburgh, to be holden in St Androes, the 25th of that same moneth. Yit seven diocies were absent. The Bishop of Murrey was sicklie, the Bishop of Aberdeene deadlie sicke, the Bishope of the Iles was in Ireland. The Erle of Montrose was appointed by the king to be his commissioner, but excused himself with sickeness, by a letter sent to the counsel, foure or five dayes before. The counsell sent a copie of the letter to the Bishope of St Androes. The bishop returned answere, that the king's service must not be neglected. So the Lords of Secrete Counsel gave commission to my Lord Binning, Secretare, my Lord Carnegie, my Lord Kilsyth, the Lord Advocate, and the Treasurer-Depute, conjunctlie, or to anie three of them.

The first day of the meeting, Mr Glaidstanes, Archdeane of St

Androes, teaching in the morning, exhorted the brethren of the ministrie to doe nothing which might procure the stopping of their mouthes. St Androes teaching in the morning, affirmed that the state of religion was in a farre better case now nor at anie time before. He alledgit, the first reformers of religion had, in effect, embraced Episcopall governement manie yeeres, and had continued therin, if the death of the Regent, the Erle of Marre, had not interveened, and a seditious fyrie man, Mr Andro Melvine, come home, to disturb all good order: that Mr Andro and Mr James Melvine had taken the contribution which sould have supplied Geneva, and given it to the Erle of Bothwell, to fortifie him against the king. This shameles lie was confuted by Mr James himselfe, as ye may see in the preceiding storie. He inveighed bitterlie against manie worthie men of the ministrie, who were then resting from their labours; and said, some of them were profane doggs, and deserved to be hanged. He forgate not the 17th day of December, howbeit he approved the apologie of the ministers of Edinburgh, and sett a sharper edge upon it himself. Sundrie brethren purposed to have challenged him. In end, Mr Johne Knox, minister of Melrose, was directed to admonishe him. He accepted the gentle admonition, and in a maner gloried that noe man durst be bold with him.

Efter the reading of the king's letter, wherin he willed them to conforme to his desire, otherways, declared he wold use his owne authoritie, the brethren of the conference were chosen. There was some reasouning; but the king and the bishop's purpose was withstood, both in the privie conference, and in the publict Assemblie. The bishope was greeved, and desired that some brethren might be appointed to consider what sould be granted, to give his Majestie satisfaction. Mr Patrik Galloway, and some others, were appointed for this purpose. They devised these overtures following: First, that the Communion be given to everie one severallie, out of the minister's hand. Nixt, if there be anie sicke person wha had lyen bedfast the space of a yeere, the minister of the paroche being earnestlie requested, sould minister the Communion

to him, in presence of sixe elders, and other famous witnesses. *Item*, to write to his Majestie with all humilitie, to desire his Majestie to hold them excused, in that they had not granted the five articles; and to promise to travell for farther information, to give his Majestie satisfaction, so farre as in them lay. By reasone of the shortnesse of the time, suddane conveening of the Assemblie, absence of manie diocies and commissioners from sundrie presbyteries, the articles were remitted to farther inquirie, rather than anie thing perfytlie concludit.

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MR A. RAMSAY'S INCONSTANCIE.

Immediatlie after the dissolving of this meeting at St Androes, Mr Andro Ramsay, one of the ministers of Edinburgh, declaimed publictlie in the Great Kirk against the innovations which were like to be brought in, and used seven or eight reasons against them. But now, he is become a defender and maintainer of them, both by word and practise.

THE CONSTANT PLATTE.

The commissioners appointed by Parliament to sie the plantation of kirks, and modification of ministers' stipends, conveened in Edinburgh the 1st of November, and held their meetings this winter. Time was protracted, and meanes were used to move ministers with hope of augmentation of their stipends, to condescend to the king's five articles.

MR A. SIMSON'S CONFESSION.

Upon the 10th of December, Mr Archibald Simsone, minister of Dalkeith, who was wairdit in Aberdeene, compeered before the bishops in Edinburgh; confessed he had offendit, in that he had

called the ceremonies of the English kirk, "*Tricas Anglicanas*," in his letter sent to the Hie Commission, in Julie last, and so obteaned libertie to returne to his owne kirk. But these heads following were sett furth in his name, as subscrived by him, which is not unlikelie.

"1. I, Mr Archibald Simsone, minister at Dalkeith, declares, that I am sorie that I was present, and medled with the protestation that offended his Majestie.

"2. As for my absence from St Androes, I protest before God, and will testifie by manie honest witnesses, that the true caus of my absence was sickness, contracted by long fasting and cold, which I contracted upon the sea.

"3. As for my letter written in Latine, that came in his Majestie's hands in St Androes, I declare, it repents me from my heart that I sould have mentioned anie thing therin which touched the order and state of the Kirk of England, which was offensive to his Majestie.

"4. For all which things wherin I have overseene myself, as I have offended his gracious Majestie, so will I crave most humblie his Majestie's favour; and promises faithfullie in all time coming never to doe the like. As also, earnestlie desires the Archbishop of St Androes, and remanent Lords of his Majestie's Hie Commission, that I may be permitted to use my function of the ministrie, in my kirk of Dalkeith.

"5. And this my declaration I have made to the Archbishop of St Androes, and remanent Lords of the Hie Commission; and has subscryvit it with my hand at Edinburgh, the elleventh of December 1617.

(*Sic subscribitur*) "A. SIMSONE."

MR A. FORBESE, BISHOP OF ABERDEENE, HIS DEATH.

Upon the 14th of December, Mr Alexander Forbese, sometimes Bishop of Caithnes, but of late Bishop of Aberdeene, departed this life in Leith. Faine wold he have spoken with the Bishop

of St Androes; but he being loathe to leave his play at the cards, howbeit it was the Lord's day, the other departed before he came to him. This bishop was impudent and shameles. He was not ashamed, when the Lords of Session and advocats came out of the Tolbuith at twelve houres, to follow them into their houses uncalled, and sitt doun at their tables; therefore was he nicknamed Colie * * * * * * *

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BISHOPS PREACHING ON CHRISTMAS DAY.

The commissioners appointed for modification of stipends to the kirks of the late erection dissolved the sooner, becaus it behoved everie bishope to repaire to his owne diocie, and teache upon the Nativitie of Christ, in their Cathedrall kirk, upon the 25th of December, as the king had directed them to doe. The Bishope of St Androes preached in the Great Kirk of Edinburgh that day. Before he entered in his sermon, he commendit the king for his care to maintain the puritie of religion, and circumspection that nothing be brought in into the kirk but that which is indifferent of itselfe. He laboured to prove that festivall dayes were observed with preaching and prayer, not long after the apostles' times. Mr William Couper, Bishop of Galloway, preached as Deane of the Chappell Royall, where the organes were played upon. Mr Robert Wallace, minister at Tranent, being somewhat diseased before, and hearing what the Bishop of St Androes had said, tooke the newes heavilie to heart, and said, "God, if my eyes were closed before I sie the miserie that is to come;" and whill he was regraiting to his wife Mr David Calderwod's case, he departed.

M.DC.XVIII.

A SUDDANE MEITING OF THE BISHOPS AND MINISTERS.

Sundrie brutes went in the moneth of Januar, that the king was highlie incensed at the bishops, speciallie against the Bishop of St Androes, (so like) becaus the five articles were not yeeldit unto, and with the ministers for driving of the time. But he will let the Kirk of Scotland know, what it was to have adoe with an old king, or to abuse his lenitie, that he wold have noe conventions of ministers to treatte, in times coming, of maters of the kirk, but onlie the bishops, and suche of the ministrie as they sall thinke meete to assume to themselfs; and that there was a warrant sent doun from the king, to discharge presbyteries and sessions of particular kirks, as mutinous conventions. These brutes were spread, to prepare a way for the five articles. The Bishop of St Androes convocated, the bishops, and the ministers that were in Edinburgh for the time, upon the 26th of Januar, in the Litle Kirk. The king's letter was redd, wherin he manifested his will and pleasour, that the ministers of Edinburgh, in speciall, the bishops themselfs, and suche others of the ministrie as might be had for the present to conveene with them, sould approve the five articles, and if they testified not their consent in writt, that the bishops suspend them from their ministrie and their stipend. It might be easilie perceived, that this letter was procured by the bishops themselfs; for how could the king know whether anie ministers of the countrie were to be in the toun, when his letter sould be presented to the bishops, or at anie other time els, unlesse there had beene a dyet appointed? Yea, it is liklie, that the bishope had some subscrived blanks lying beside him, to fill up as occasion required. The ministers answered, that in respect the mater was of great importance, and the maner of proceeding somwhat suddane and violent, it behooved them to be advised

with the whole brethren of the ministrie, and they sould doe what in them lay to give his Majestie satisfaction.

Upon the 28th of Januar, the charge following was published at the Mercat Crosse of Edinburgh, for observing some holie dayes, notwithstanding that the Generall Assemblie had not as yit consented, and acts of Parliament made against Easter and Christmas were standing yit unrepealed :—

A PROCLAMATION FOR OBSERVING OF HOLIE DAYES.

"Forsameikle as it is the duetie of all good Christians to keepe in perpetuall rememberance the great and inestimable benefites which it hath pleased the Almightie God in his deir Sone, Jesus Christ, and in his exceeding great love toward mankind, to bestow upon them; and in a reverend commemoration therof, to observe, and spend some certane dayes in devotion and godlie exercises, wherethrough the due respect and thankefull rememberance of these so great benefits be never suffered to pass in oblivion: And the king's Majestie acknowledging the innumerable favours and blessings wherewith it hath pleased the divine majestie of God to bless his Hienes from time to time; Therefor his Majestie, out of his true respect to the honour of God, and to have Him honoured by all his people, has thought meete and expedient, and by these presents commands and ordaines, that according to the exemple of the kirk, when the same was in greatest puritie, and most free from corruption and errour, there sall be an universall cessation and abstinance throughout this whole kingdome upon the holie dayes following, to witt, upon Christmas day, which was the day of the Birth of Christ; upon Good Fryday, which was the day of his Passion; upon Easter or Pasche day, which was the day of his Resurrection; and upon the day of his Ascension, and upon Whitsonday; to the effect his Majestie's subjects may the better attend the holie exercises which his Majestie, with advice of the Fathers of the Kirk, will appoint to be keept at these times in the kirk. And for this effect, his Majestie, with advice of the Lords of his

Secrete Counsel, ordeans, that letters be direct, charging all his Majestie's leiges als weill in burgh as land, by open proclamation at the Mercat Crosses of the heade burrowes of his kingdom, and other places needfull, that they and everie one of them absteene from all maner of husbandrie and handie labour on the saids holie dayes of Christmas, Passion day, Pasche day, the Ascension day, and Whitsonday, to the effect they may the better attend the holie exercises which sall be appointed to be keept these dayes, as said is. Certifeand all and sundrie persons that sall contraveene and doe in the contrarie heirof, that they sall be punished with all rigour, as disobedient and rebellious persons, contemners of his Majestie and authoritie."

When the bishopricke of Aberdeene was offered to Patrik Forbese, Laird of Corse, he sent this letter following to the Bishope of St Androes :—

"RIGHT HONOURABLE, AND MY GOOD LORD,—Your Lordship's letter to me, and therin inclosed his Majestie's letter to your Lordship, were delivered to me the thretteenth of Februar, at night; whereby, as I had good notice in what loving and gracious estimation his Hieness hath me, his unworthie servant, giving therof evidence in so liberall and princelie an offer of high employment, which is secondit with your Lordship's congratulation and serious encouragement of undertaking: So, if I sould not make high account therof, I might be esteemed the most ingrate and senseless among men. Neither can my refusing of so undeserved, unsought for, and unexpected favour, but draw upon me the imputation of an unexcusable misregard, if I be mistaken in the reasone of my hesitation, wherin I am so farre from disallowing the office and degree of a bishop, (as hierupon some men might apprehend,) that they being conjunctlie elected, rightlie defyned, in suche moderation of place and power as may putt restraint to excessive usurpation, and practising accordinglie, I thinke it not onlie a tolerable and a carefull, but even a lawfull and expedient policie in the church, and verie weill consisting with God's written

Word, the onlie rule whereto all the effairs of his hous sould be levelled. Neither wold I have your Lordship or anie man els to thinke, I being so farre resolved in the mater itselfe, that becaus what through prejudices possessing the minds of manie, (otherwise zealous and godlie men,) what through the miscariage, perhaps, of some men in that calling, it hath fallen to be so farre dislykit of diverse, as my undertaking therof sould make me noe better in their account nor a Demas, who, for imbracing of the world, was slyding away from sinceritie, and all care of a good conscience; that, therfore, either for currying the applause of men, or for eviting of manifold misconstructions and misdeamings, I wold earnallie decline the calling. I know verie weill how great a sinne it is to offend one of the least ones that beleeves in Christ. But with that, I know also he is a man of a verie weake and unstayed conscience, who is either so tickled with populare applause, as to be caried begesse to a thing without light, thus to strengthen a commone giddines; or is so terrified with misconstructions, as therfor to omitt anie duetie, which the honour of God or the good of his church requireth of him. I know that we must walke through good report and evill report; and he is a verie unfitt man for a good purpose, either in Church or State, *qui ponit rumores ante salutem.* I know how farre I have beene suspected alreadie. Some, (otherwise goode and holie men,) becaus my calme, moderate, and equall cariage in our bygone distraction, agreed not with the vehemencie of their mind, [suspected] that therfore, forsuith, I was taken with the love of such things as (God knowes) both were, and still are, farre from my hart. But being privie to my self, and having the testimonie of Him before whom I walked, upon what respects, in so commone, and (as I think) so hurtfull a heate on both sides, I have walked so æquallie and amablie with all men, I will never, God willing, repent me of that maner of cariage.

"It is not for me in this age, wherin I am come, having beene so stranglie exercised under the hand of my God, as I stand a gazing stocke to the world, and windshaken reid and weatherbeatten

windstray,[1] to mynd earthlie things now, which the Lord hath so farre disgusted to me, and me to them; also, as if I durst choose my owne course, I had rather have a cottage in some wildernes, wherin to drive out the remanent of my dayes, than to be brought anie more into the view of the world, and in the mouth of men. And if I were so vaine as to be sett for honour, ease, or commoditie, yit, alace! what honour could I looke for by accepting a bishoprick, wherby the mind of men, who now both honours and reverences me above either my place or merite, sall be turned to account me a corrupted man and ambitious aspyrer? What ease might I expect in so toilsome a task and heavie charge? What could be my commoditie in so dilapidate and dissipate an estate? Yit as in this calling, there is none of these to allure or tempt me, or anie man having sense, so I protest uprightlie, it is neither the feir of disgrace, or unease, or discommoditie, that maketh me decline the charge. I lay noe count for anie ease in this life, but the ease of a good conscience. I never preached the Gospell for worldlie gaine, or have I to this houre made anie gaine of that sort; wherby my reward is before me, and I hope my Lord sall hold my heart still fixed on it. And as for misconstructions I might incurre with men, (if there were not other things to divert my mind,) wold hope, by the grace of Him who is best acquainted with my inwards, so to carie my self, as in short time not onlie to rubbe away anie conceived prejudice against my persone, but even to make the most averse to think perhaps more æquitablie of the calling also. For howsoever I neither darre nor will condemne the judgment or dealing of these men, who at the first, whill the mater was at deliberation, did modestlie oppose to the erecting of bishops in our church, the experience of tyrannicall usurpation, giving in former times noe small reason to fear the like evill heirefter; yit now, they being established, and sett at the rudder of our church, I am so farre from the judgment of them who wold have noe godlie nor singularlie gifted men to accept of them; and I think it farre from

[1] A wheat or oaten straw.

a weill informed zeale, as it is rather, in my judgment, a sort of transportation so farre with the love of their owne opinion, as rather than anie other thing disagreeable to their opinion sould obteane place in the church, or be graced by anie man's weill doing, they wold putt us rather to perill to have noe church at all, by leaving these rowmes exposed onlie to belligods, hyrlings, and sycophants, to the undoubted hazard not onlie of their owne personall miscariage, but also of filling all the places of the church with the ofscourings of the world, and dreggs of men. Neither can I deny, but (as your Lordship wrote to me) I have (if anie other) a faire and warrantable calling, so as if noe other thing did stay my resolution, I could hardlie in conscience make exceptions against it.

"This is that, my good Lord, which maks all my scruple. The present condition and course of things for furder, and we cannot tell how farre a farder novation in our church, and that so peremptorlie and impetuouslie urgit on the one part, and so hardlie received on the other, as betuixt these extremities, and undertaking of a bishoprick, I sie none option left me, but either to incurre his Majestie's displeasure, (which is the rocke, under Christ, I am lothest to strike on,) or then to dryve both my selfe and my ministrie in such common distast, as I sie not how hencefurth it can be anie more fruictfull. I dispute not heir of the self-points. But I am perswadit, if so wise, so learned, and so religious a king as God has blessed us with, were fullie and frielie informed; or did throughlie conceave the said sequele of inforcing in our church, that neither in the points alreadie proponed, neither in anie which we feare are yit to insue for this intendit conformitie, wold his Majestie esteeme anie of such force or effect, as therfore the state of a quyet church sould be marred, the minds of brethren who for anie bygone distraction were beginning againe to warme in mutuall love, sould be of new againe, and almost desperatlie distracted, the hearts of manie good Christians discouraged, the resolution of manie weake ones brangled, mater of insolent insulting ministred to Romanists, and to profane Epicureans, of a disdainfull deriding of our wholl profession.

"Your Lordship remembers the other yeere, when my Lords of Glasco and Rosse refreshed our mynds with a verie gratfull relation of his Majestie's royall care and zeale towards our church. One speeche speciallie cheird our hearts, wherin his Majestie had exhorted us to mutuall concord among our selfs, and that he sould never urge anie thing upon us that might disturbe our quyet; wherupon, we were all joyfullie erected to the certane hope of a solide peace. Might it please God to hold his Majestie's mind on this resolution, I think, then, in that calling, men might doe goode, and his Majestie good service, and be answerable for a peacable and weill governed church, for preservation of unitie in sound doctrine, and holie worship, and for als obsequious and loving (though poore) subjects, as anie king of the world might glorie of. If wherin our church seemeth defective, his Majestie wold so farre pitie our weaknes, and tender our peace, as to inforce nothing, but which first in a fair and nationall counsell were determined, wherin his Hienes wold neither make anie man affrayed with his terrour, nor pervert the judgment of anie with hope of favour, then men may adventure to doe service. But if things be so violentlie caried, as noe end may appeir of bitter contention, neither any place left to men placed in rowmes; but (instead of procuring peace, and reuniting the hearts of brethren) stirre the coales of detestable debait, for me, I have noe courage to be a partner in that worke. I wishe my heart-blood might extinguishe the ungracious arising flamme in our church. But if I can doe nothing for the quenching of it, then wold I be heartilie sorie to adde a fellow therto.

"And this is it, my verie goode Lord, which onlie terrifieth me from undertaking that which otherways, for the zeale of God's hous, with all hazard, and with all my heart, I wold imbrace. So, as your Lordship sall verie much oblige me unto you, if with his Majestie's favour, and your Lordship's good contentment, I may be permitted to retaine a private ministrie, carying with it noe more difficultie but to answeir weill for my owne personall cariage; and not to undergoe the necessitie, of not onlie being my self ane

actor, but either an urger and adactor also of my brethren, to the things which sall be against their mynd, and perhapps against my own light also, or then to incurre dangerous indignation. And in anie case, your Lordship well knowes, '*Turpius ejicitur, quam non admittitur, hospes.*'

"I may perhapps appeir to your Lordship to build up to my self idle and unnecessarie feares; but I have in all singlnes layde before your Lordship my whole mind, which I remitt to your Lordship's wise consideration: Beseeking God so to direct this whole mater, as he may have glorie, his church may have good, and I may injoy the peace of a good conscience. And thus, commending your Lordship hartilie to the gracious direction and effectuall blessing of our Lord, I rest.

"Keith, 16th Febr. 1618."

This hypocrite convoyeth his answeir so craftilie, that the bishops might easilie perceive that he wold accept the bishoprick *nolens volens*, as it was said of old. Nay, farther, we may sie a presumptuous spirit in his letter; for he thinketh that his accepting may grace the office. He pretendit he is loathe to be an urger of the ceremonies upon others; yit we sall sie how loathe he was, by the service he did at the Assemblie holden at Perth, and the Parliament holden efter. Yea, in his last diocesan synode holden this yeere, (1627,) howbeit the king doth not urge the ceremonies, hath he thireatned the ministers of his diocie, saying, "Ye think there will be noe more dinne of conformitie: beguile not your selfs; I sall make the best of you conforme." It is knowne weill eneugh that he undertooke not the ministrie till bishopricks were in bestowing, and that he could find noe readier meane to repaire his broken lairdship. He pretendit he wold not enter but with such and such conditions. Yet he entered by election of a Chapter, which was condemned before in our kirk, and without swearing to the caveats prescribed for commissioners voting in parliament; and was content to be consecrated, howbeit

consecration to such an office was not so much as dreamed [of] at the Assemblie holden at Glasco.

THE KING COMMANDETH GOOD FRYDAY TO BE KEEPED.

Thrie or foure dayes before Good Fryday, the proveist and baillies of Edinburgh were commandit, by a letter from the king, to sie that the inhabitants observed Good Fryday conforme to the proclamation. The baillies craved the ministers' advise. They answeired, [it] was not directed to them; let them doe as they wold be answeirable. Upon Wedinsday preceding Good Fryday, the thrid of Aprile, the magistrats of Edinburgh sent the officers through the toun to sie that there were noe worke nor trading; yit was there noe other preaching but the ordinare. Mr Couper, Bishope of Galloway, preached in the Royall Chappell, where sundrie of the counselours and others conveened at the king's direction.

THE COMMUNION CELEBRATED KNEELING.

Upon Easter day, the Communion was ministred by sundrie bishops in their cathedrall kirks, to manie of the people kneeling upon their knees, speciallie in St Androes. So they practised the ceremonies as occasion offered, before the Generall Assemblie had determined upon an answeir to the king? Generall Assemblies were not now indicted but when they pleased. It pleased not them, before both persons and maters were dressed before hand; therfore noe wonder that they feared noe censure. The Bishope of Galloway ministred the Communion in the Royall Chappell, where Chancelour Seatoun, President Hamiltoun, the king's Advocate, Mr William Olyphant, Sir Gideon Murrey, Treasurer-depute, Sir George Hay, Clerk of Register, now Chancelour, and their followers, to the number of fourtie-two persons, [were present.] About twentie days before Whitsonday, the king willed the Lords of Secrete

Counsel to prepaire themselfs, with their freinds and followers, to communicate in the Chappell Royall upon Whitsonday. So upon Whitsonday, the 24th of Maij, the Bishope of Galloway ministred the Communion in the Chappell Royall to the chancelour, the president, the treasurer-depute, the advocate, and others the king's servants. The bishope forbade the people to scarre from communicating for the offering that they were to give, seing these that offered little were notwithstanding accepted. This day, Mr Patrik Galloway teaching in the Great Kirk of Edinburgh, alledgit, for observation of the five holie days urged by the king, the exemples of the primitive kirk, and other reformed kirks; yit he confessed the Kirk of Scotland needit them not. He allowed teaching, and a text chosen for the purpose, but not cessation from worke or trading. This man seemed so precise in former times, that he wold not eate of a Christmas py.

THE KING ALLOWETH GAMES UPON THE LORD'S DAY.

The king's declaration concerning lawfull sports and games upon the Lord's day, and other holie dayes, given at Greenwiche the 24th of Maij, was brought to this countrie about the beginning of June. In this declaration he relateth, how in his progresse the last yeere through Lancashire, he rebuked some Puritans and precise persons for prohibiting and unlawfull punishing of his goode people, for using their lawfull recreations and honest exercises. And becaus these his proceedings were traduced by Papists and Puritanes, he thought good to cleere, and make his pleasour to be manifested to all his good people in these parts, which he did as followeth:—

"It is true, that at our first entrie to this crowne and kingdome, we were informed, and that too truelie, that our countie of Lancashire aboundit more in Popish recusants than anie countie of England; and thus hath still continued since, to our great regreete, with little amendement; save that now of late, in our last riding through our said countie, we find, both by the report of the judges,

and of the bishope of that diocie, that there is some amendement now daylie beginning, which is not small contentment to us.

"The reporting of this growing amendement amongst them made us the more sorie, when with our owne eares we heard the generall complaint of our people, that they were barred from all lawfull recreation and exercise upon the Sonday's efternoone, efter the ending of all divyne service; which cannot but produce two evills; the one, the hindering of the conversion of manie, whom their preists will take occasion heirby to vexe, persuading them, that noe honest mirth or recreation is lawfull or tolerable in our religion; which cannot but breede a great discontentment in our people's hearts, speciallie of such as are peradventure upon the point of turning. The other inconvenience is, that this prohibition barreth the commone and meanner sort of people from using such exercises as may make their bodies more able for warre, when we or our successours sall have occasion to use them: And in place therof, sets up filthie tiplings and drunkennes, and breeds a number of idle and discontented speaches in their alehouses: for when sall the commone people have leave to exercise, if not upon the Sondays and holie days, seing they must apply their labour, and winne their living, in all working days?

"Our expresse pleasour therefore is, that the lawes of our kingdome, and canons of our church, be als weill observed in that countie, as in all other places of this our kingdome; and on the other part, that noe lawfull recreation sall be barred to our good people, which sall not tend to the breache of our aforsaid lawes, and canons of our kirk. Which to expresse more particularlie, our pleasour is, that the bishope, and all other inferior churchmen and churchwardens, sall for their parts be carfull and diligent, both to instruct the ignorant, and convince and reforme them that are misled in religion; presenting them that will not conforme themselfs, but obstinatlie stand out, to our judges and justices, whom we likwise command to put the law in due execution against them.

"Our pleasour likwise is, that the bishope of that diocie take

the lik strait order with all the Puritanes and Precisians within the same, either constraining them to conforme themselfs, or to leave the countrie, according to the lawes of our kingdome and canons of our kirk; and so to strike æquallie on both hands, against the contemners of our authoritie, and adversaries of our church. And as for our good people's lawfull recreation, our pleasour likwise is: That efter the end of divine service, our goode people be not disturbed, letted, or discouraged from anie lawfull recreation, such as dancing, either men or women, archerie for men, leaping, vaulting, or anie other such harmles recreation; nor from having of Maygames, Whitson-Ales, and Morisdanses, and the seting up of Maypoles, and other sports therwith used, so as the same be had in due and convenient time, without impediment or neglect of divyne service; and that women sall have leave to carie rushes to the church, for the decoring of it, according to their old custome. But withall, we doe heir account still as prohibited all unlawfull games to be used upon Sondays onlie, as beir and bullbaitings, interludes; and at all times in the meanner sort of people by law prohibited, bowling.

"And likwise, we barre from the benefite and libertie all such knowne recusants, either men or women, as will absteene from coming to church or divine service, being therfore unworthie of anie lawfull recreation efter the said service, that will not first come to the church and serve God. Prohibiting, in like sort, the said recreations to anie, that though conforme in religion, are not present in the church at the service of God, befor their going to the said recreations. Our pleasour lykwise is, that they to whom it belongeth in office sall present and sharplie punishe all such as, in abuse of this our libertie, will use these exercises before the ends of all divine services for that day. And we likwise straitlie command, that everie person sall resort to his own paroche church, to heare divine service, and eache paroche by it selfe to use the said recreation efter divine service. Prohibiting, likwise, anie offensive weapons to be caried, or used in the said times of recreations. And our pleasour is, that this our declaration sall be published by

order from the bishope of the diocie, through all the paroche churches; and that both our judges of our circuit, and our justices of our peace, be informed therof."

Upon the 14th of Julie, it was declared by publict proclamation at the Crosse of Edinburgh, that it was the king's will and pleasour, that the Lords of Secrete Counsell sall hold counsel in tymes comming in the Palace of Halyrudhous.

The day following, when they were conveened in the said palace, there was a terrible thunder. The thunder brake within the toun of Edinburgh upon a chimney head, over against the Salt Trone. The maister of the hous and his wife were stricken to the ground with the wind and feare of it, but recovered within a prettie space. With the same blast was broken a shott of the lodging where the Laird of Corse, latlie consecrated Bishope of Aberdeene, lodged, and a peece of the boord driven away.

After the Assemblie holden at St Androes, the bishops spredd a report, that we wold never have the libertie of a Generall Assemblie againe. Wherupon some zealous brethren of the ministrie in Fyfe, carefull to prevent evill, and fearing that the articles would be proponed to the synods in severall, penned the advise following, or els, as appeareth, they penned the same before the last synods in Aprile:—

ADVYSE TO THE SYNODS.

"*If we cast down that which we have buildit, we make our selfs transgressours.*

"When the five articles sall be motioned in the synode, for determination to pas therupon, or farther preparation to that effect, answeir *negativè*, for the reasons following:—

"1. The said articles lyeth yit as rejected, and condemned by acts of the Generall Assemblie standing in force, and ratified and confirmed by acts of parliament, and continuall practise of this kirk this fiftie-eight yeers bygone. And true it is, that noe

synode may or ought to call in question, innovate, or annull, the acts of the Generall Assemblie.

"2. The said articles being moved in the last Generall Assemblie-holden at St Androes, the same were of such importance, and the reasoning theranent, that the Assemblie resolved to lay over all to a more full meeting, and farther advertisment.

"3. Humble sutes were made to his Majestie, for a Generall Assemblie to be conveened in a convenient time, for farther treatting of the said articles, wherof as yit the kirk has receaved noe answeir; in respect wherof, and of the dependence of these questionable maters, the synode cannot of reasone medle with the same.

"4. If a limitate synode sould presume to medle with articles of that nature, it were a just reason to reject the whole members therof from voting in a Generall Assemblie, *nomine prejudicii.*

"5. The short sitting of the synode, the multitude of their ordinare effairs, and the prejudice alreadie committed *facto*, before anie conclusion agreed upon by the Generall Assemblie, sufficientlie closeth their hands from treatting or medling with the said articles.

"6. If synods sall determine anent the five articles, it sall make schisme in the kirk, of synods and anti-synods. For howbeit the greattest part of the synods determine one way, the rest are not bound to follow them, becaus, in a generall order, there ought to be communication of reasoning and conferences before voting; which is not, nor cannot be, done in severall synods, but in a generall onlie.

"7. Howbeit the greattest part of the synods determine one way, the rest are not bound to follow their determination, becaus they determine, *non communicatis consiliis et rationibus cum cæteris.*"

Upon the last of Julie, the platt of the commissioners appointed by the last parliament to modifie and augment ministers' stipends was dissolved, the commission granted by parliament expyring. Neither the ministers, nor the noblemen and gentlemen which had the tithes, were well pleased. The provision made for ministers in

manie places was verie uncertane. All parties having interest were not duelie callit. So it appeared, that for a long time, the ministers wold be putt to charges in pleading for their stipends. They united sometyms two, sometyms thrie kirks in one, to the number of two hundreth or therby. The bishops, to currie the favour of noblemen and gentlemen, or for gaine, consented to these unions. Bannatyne, Bishope of Dumblane, gate from my Lord of Maderdie a thousand merks to unite kirks, and save him from great stipends. Dunkell united two or thrie kirks together. Mr William Couper, Bishope of Galloway, condiscendit, for pleasour of his freinds and allyes, to unite kirks which before had beene planted severallie, notwithstanding the ministers within his diocie dealt with him, not to suffer such incommodious unions to passe. He procured the union of the kirks of Dunrpde, Satua, planted before by themselfs, in the person of Mr James Donaldsone, with the kirk of Kirkcudbright, a burghe royall, and a paroche indifferentlie peopled. He united the kirks of Kirkmabrecke and Kirkdale, planted before with Mr Jhone Calender, with the kirk of Anwerth, a kirk distant from the other two sixe miles of montanous and hard way, the parochiners lying distant in some places ten myles from it, which kirk was planted before with Mr Isaac Patersone. These unions he brought about to please the Laird of Bombie, and his brother Borge, the bishop's sone-in-law, for Bombie was tacksman to the two kirks of Kirkcudbright and Anwerth.

PERTH ASSEMBLIE INDICTED.

Upon the 3d of August, the Generall Assemblie was indicted by publict proclamation at the Mercate Crosse of Edinburgh, and all archbishops, bishops, ministers, and commissioners, were wairned to be at Perth the 25th of this same moneth. Efter they had spredd a report that we sould not have a Generall Assemblie againe, to make the ministers secure and carles, they surprised them with this suddane indiction. They themselfs were not igno-

rant that there was an Assemblie to be holden, and, therfore, at the platte for augmentation of ministers' stipends were they bussie bishops. Such as wold promise to vote to the five articles gott a sudden dispatche; others, for all the moyen they could make with the noblemen, commissioners, were postponed, and gott either small or noe augmentation. Some they prepared at home, in their synods and presbyteries. When they had prepared the persons, then thought they it hie time to have an Assemblie. They were so sure of the men, that the Bishope of St Androes said, efter the dissolving of the Assemblie, that he was disappointed onlie of thrie votes of the men he looked sould have beene their freinds.

THE PROCEEDINGS OF THE ASSEMBLIE HOLDEN AT PERTH THE 25TH OF AUGUST 1618.

For obedience to the proclamation, and to the king's particulare missives, the persones following conveened at Perth, the 25th of August 1618. His Majestie's commissioners, my Lord Binning, Secretare, Lord Scoone, Lord Carnegie. Their assessors, Sir Gedeon Murrey, Treasurer-depute, Sir Andro Ker of Fairnihairst, Captaine of the Guard, Sir William Olyphant, the king's Advocate, and Sir William Livingstoun of Kilsyth. Noblemen, the Erle of Lothian, Lord Ochiltrie, Lord Sanquhar, Lord Boyde. Barons, Waughtoun, Lutquharne, Glen Urquhart, younger, Clunie, Gordoun, Bonnytoun, Wode, Wemys, Balvaird, Balcolmie, Balcarras, Balmanno, Bombie, Blakharronrie, Lagge. Burgesses for Edinburgh, David Aikenhead, George Fowlis; for Perth, James Aedie, Constant Malice; for Dundie, Mr Alexander Wedderburne, younger, Robert Clayhills; for Aberdeene, Mr Johne Mortimer; for Sterline, Christophere Alexander; for St Androes, Johne Knox, Thomas Lentron; for the Universitie of St Androes, Doctor Bruce. Bishops, all except Argile and Iles. Ministers, commissioners from Presbyteries.

Intimation was made in the church of Perth the Sabboth day

preceiding, of a fast to be observed the first day of the Assemblie. The fast was little regardit, saving that two sermons were made, the first in the morning, by Patrik, Bishope of Aberdeene, upon Ezra vii. 23. He inlarged this ground, that nothing sould be done or determined in the church by anie superior power whatsoever, but that which is according to the commandement of the Almightie King. The other at ten hours, by Johne, Archbishope of St Androes, in the Little Church, upon 1 Cor. ii. 16. He discoursed for the space of two hours, first, in defence of ceremonies in generall, nixt, of the five articles in particulare. What weight there was in his discourse may be perceived by confering his sermon, which is extant in print, with the confutation of all the reasons that were alledgit at that Assemblie, extant in print also. In his sermon, he protested, that neither he nor his fellow bishops were the devisers of these articles, or motioners to the king to bring them in. His words, as they are extant in print: "As to that which is supposed of us at home, my self cheeflie, if I sall beleeve the rumours that are going, I will borrow that notable man's speeche, in a case not unlike, '*Mihi hactenus prope modum fatale fuit putidis his calumniis quotidie onerari. Ego autem, ut sancte testari possum, me inscio, ac ne optanti quidem hæc præposita ita ab initio, in animum induxi, invidium potius tacendo levare, quam excusationes quærere minus sollicitas.*' This was my resolution, and I sould not change it, but that I will not have a misconceate of my doings to leade you into an offence. I, therfore, in the presence of the Almightie God, and of this honourable Assemblie, solemnlie protest, that without my knowledge, against my desire, and when I least expected, these articles were sent unto me, not to be proponed to the church, but to be inserted amongst the canons therof, which then were in gathering. Touching which point, I humblie excused my self, that I could not insert amongst the canons that which was not first advised with the church, and desired they might be referred to another consideration. Neither did I heare efter that time anie thing of them, whill that protestation was formed to be presented to the states of parliament. At what

time, his Majestie taking the advantage of their misbehaviour who penned the protestation, and proudlie stoode to the same, resolved to have these articles admitted in our church; wherin all my care was, to save the church her authoritie, and labour that they might be referred to an Assemblie. Which was obtained, upon promise that his Majestie sould receave satisfaction; and the promise was not made by me alone, but ratified by your selfs, as ye remember, at St Androes, in the Assemblie that followed, howsoever my advise tooke noe place. I joyned, efter the dissolving therof, with my lords the bishops, to excuse the delay that was made at that time. But our letter being evill accepted, and another returning full of anger and indignation, which diverse of your selfs have seene, I travelled at the ministers' earnest sollicitation, by all the ways I could, to divert the troubles which before this time most certanlie ye wold have felt; and all that hath proceedit since, ye know. So, as I spake before, I wold, if it had beene in my power most willinglie have declined the receiving of these articles; not that I did esteeme them either unlawfull or inconvenient, for I am so farre persuadit of the contrarie, as I can be of anie thing. But I forsaw the contradiction that wold be made, and the bussines we sould fall into. Therfore let noe man deceive himself: these things proceede from his Majestie, and are his owne motions, not anie others."

It may be, as the bishope alledgeth, that he and his fellow bishops were not the first devisers of the five articles to be obtrudit upon our church. But we doe not beleeve, but he and the rest offered their assistance and best endevours to the king, when they were proponed to them. They were proponed not onlie to them, but also to some ministers, before the protestation was penned, as may appeare by the contents of the protestation it self. It is verie liklie, that when they were to be proponed to the ministers conveened at St Androes, upon the 13th of Julie, the thrie ministers were deprived by the Hie Commission, to extort with terrour the consent of the ministers conveened. It is false, that the ministers conveened at St Androes, either in Julie or in November following,

promised anie other satisfaction than that which was agreeable to reasone, and so farre as their conscience wold suffer them. As for the letters which past betuixt the king and him, he may make of them what he pleases. We know not whether the king was angrie in shew onlie, to gett his purpose effectuate, or if in sadde earnest. Howsoever it was, he had noe just occasion of anger offered him. We may not forsake the trueth ay when kings are angrie.

There was sett in the Little Church a long table, and at the heade therof a short crosse table. At the crosse table were sett chaires for his Majestie's commissioners and the moderator. At the sides of the long table were sett furmes for noblemen, barons, burgesses, bishops, and doctors. The ministers were left to stand behind, as if their place and part had beene onlie to behold. If there was noe rowme in the Little Church for saitts, they might have sitten in the greatter church. But this apparentlie was done of policie, that they might carie some majestie upon their part, to dashe simple ministers. Mr Johne Spottiswode, Bishope of St Androes, placed himself at the heade of the table, in the moderator's chaire, beside his Majestie's commissioners, and tooke upon him the office of a moderator without election. When Mr George Crier, minister at Hadingtoun, desired that the order of frie election might be keeped, the bishope answeired sawcilie, the Assemblie was conveened within the bounds of his charge, wherin, so long as he served, he trusted noe man wold take his place.

After prayer, he notified to the Assemblie, that Mr Thomas Nicholsone, ordinare clerk, had dimitted his office in favour of Mr James Sandelands. He commendit Mr James as a man qualified for the office, and readie to further ministers in their actions before the Lords of Session. So, without formall election or voting, efter he had asked at some noblemen, bishops, the king's commissioners, and some ministers, Mr James was called in, and his oathe taken, to be faithfull and diligent in the discharge of his office. Mr James Sandelands being admitted clerk, the brethren of the minis-

trie were wairned to give in their commissions before the sitting doun of the Assemblie efternoone. So the names of the commissioners were never knowne nor called upon, that they might be knowne everie one to another, till the voting the five articles in the end of the Assemblie, when the bishope tooke the roll in his hand, and called on such names as were in it; and then it was knowne that manie of them had not lawfull commission.

It was asked, whether all noblemen, barons, and ministers that were present, sould have power to vote? It was answered, noe ministers wanting commission; but voice could not be denyed to noblemen and barons, who were come upon his Majestie's missives. But that was not eneugh, for noe barons ought to have voice in the Generall Assemblie, but suche as are chosen commissioners with consent of the presbyteries, and one baron onlie in the bounds of a presbyterie, as was ordained, the king himself being present in the Assemblie holden at Dundie, 1597. The other part of the answer concerning ministers was not keeped.

The bishop fearing to be troubled with moe questions, commandit silence, and required the king's letter, which was directed to the Lords of the Privie Counsell and the bishops, to be redd. Doctor Young, Deane of Winchester, by birth a Scottish man, presented it. It was twyse redd in open audience, to move the Assemblie partlie with allurements, partlie with persuasions. The tenor of the letter, as they themselfs have sett it furth in print, heir followeth:—

"James Rex.

"Right reverend Fathers in God; right trustie Cousines and Counselours, and others our trustie and weilbeloved Subjects, we greete you weill.—We were once fullie resolved, never in our time to have called anie moe Assemblies there, for ordering things concerning the policie of the churche, by reason of the disgrace offered unto us in that late meeting at St Androes, wherin our just and godlie desires were not onlie neglected, but some of the articles concludit in that scornfull and ridiculous forme, as we wishe they

had beene refused rather with the rest: Although at this time we suffered ourself to be intreatted by you our bishops for a new convocation; and have called you together, who are now conveened for the self-same busines which then was urged, hoping assuredlie, that ye will have some better regard of our desires, and not permitt the unrulie and ignorant multitude, after their wonted custome, to oversee the better and more judicious sort; ane evill which we have gone about with much paines to have amendit in these Assemblies, and for which purpose, according to God's ordinance, and the constant practise of all well governed churches in all ages, we have placed you, that are bishops and overseers of the rest, in the greatest rowmes.

"You pleade much, we perceave, to have maters done by consent of the ministers, and tell us often, that what concernes the church in generall sould be concludit by the advice of the whole: neither doe we altogether dislyke your purpose; for the greatter consent there is amongst your selfs, the greatter is our contentment. But we will not have you to thinke, that maters proponed by us of that nature wherof these articles are, may not without such a generall consent be injoyned by our authoritie. This were a miskening of your places, and withall, a disclaiming of that innate power which we have by our calling from God, by the which, we have place to dispose of things externall in the church, as we sall think them to be convenient and profitable, for advancing true religion amongst our subjects. Therefore, let it be your care, by all maner of wayes and discreete perswasions, to induce them to an obedient yeelding unto these things, as in duetie both to God and us they are bound. And doe not think that we will be satisfied with excuses, or delayes, or mitigations, and we know not what other shifts have beene proponed; for we will content ourselfs with nothing but with a simple and direct acceptation of these articles, in the forme by us sent unto you now a long time past; considering both the lawfulness, and undenyable conveniencie of them, for the better furthering of pietie and religion amongst you. And it sould have rather becomed you, to have begged the establishment of such

things of us, than that we sould thus neede to be putt to urge the practise of them upon you. These maters, indeid, concerneth you of the ecclesiasticall charge cheefelie.

"Neither wold we have called noblemen, barons, and others of our good subjects, to the determining of them, but that we understand the offence of our people hath beene so much objected, wherin you must beare with us to say, that noe kingdom doth breede, or hath at this tyme more loving, duetifull, and obedient subjects, than we have in that our native kingdom of Scotland; and so, if anie disposition hath appeared to the contrarie in anie of them, the same we hold to have proceedit from amongst you, albeit of all sorts of men, ye are they that both of duetie were bound, and by particular benefits were obliged to have continued yourselfs, and by your sound doctrine and exemplarie life, keipt others in a reverend obedience to our commandements. What and how manie abuses were offered to us by manie of the ministrie there, before our happie coming to this crowne, we can hardlie quyte forgett; yit we litle like to remember; neither thinke we, that anie prince living could have keept himself from falling in utter dislike with the profession itself, considering the manie provocations that were given to us. But the love of God and his trueth still upheld us, and will by his grace so doe to the end of our life. Our patience always in forgetting and forgiving manie faults of that sort, and constant maintaining of true religion against the adversaries, (by whose hatefull practises we live in greatter perill than you or anie one of you,) sould have produced better effects amongst you than continuall resistance of our best purposes. We wishe we be not further provoked, and God's trueth which you professe, of obedience to principalities and powers, be not longer neglected and slandered by such as, under the clocke of seeming holiness, walke unrulie amongst you, shaking hands as it were, and joyning in this their disobedience unto magistracie with the upholders of Poperie.

"Therefore, our hartie desire is, that at this time you make the world see by your proceedings, what a duetifull respect and obedience you ow to us, your soveraigne prince, and naturall king and

lord; that as we in love and care are never wanting unto you, so you, in a humble submission unto our so just demands, be not found inferior to others our subjects in anie of our kingdomes; and that the care and zeale of the good of God his church, and of the advancing of pietie and trueth, doth cheefelie meete us to the following of these maters, God is our witness. The which, that it may be before your eyes, and that, according to your callings, ye may strive in your particular places, and in this generall meeting, to doe these things which may best serve to the promoving of the gospell of Christ, even our prayers are earnest unto God for you. Requiring you in this and other things to credite the bearer heerof, our trustie servant and chapplaine, the Deane of Winchester, whom we have expreslie sent thither, that he may bring unto us a true relation of the particular cariages of all maters, and of the happie event of your meeting, which, by God's blessing, (who is the God of order, peace, and trueth,) we doe certanlie expect. Unto whose gracious direction we commend you now and for ever.

"Given at Theobalds, the 10th of Julie, 1618."

After the reading of the king's letter, the Bishop of St Androes had a speeche, wherin he protested, that neither he nor the Kirk of England had craved these novations, nor given counsell theranent, and it was against his will that ever they were motioned; yit that now he is persuadit, that his Majestie will be more glaid of the consent of this Assemblie to the five articles than of all the gold of India. He assured them on the other part, that incace of their refusall, the whole estate and order of our kirk wold be overthrowne, some ministers wold be banished, other some deprived of their stipend and office, and all wold be brought under the wrathe of authoritie. He advised them rather to consent in time, nor efterward to begge favour, by offering conformitie, as others had done; alledging that Mr Johne Shairp, one of the ministers banished, for the disordered conventicle holden at Aberdeene, as he called it, had written to him the night before, to interceede

with the king, for libertie to him to returne to his owne countrie, offering to submitt himself to all good orders in tyme coming. But the letter was neither redd nor seene. This is not the first letter the bishop has alledgit he had in his pocket, to outface a lie. "O," said he, "I know when some of you are banished, and others deprived, ye will blame us, and call us persecutors; but we will lay all the burden upon the king, and if ye call him a persecutor, all the world will stand up against you."

After his speeche was endit, he desired Doctor Young to speake, if so be he had intention or commission to that effect. The doctor, after his preface of insinuation, layde out the taunts and reproches breathed out at court against the proceedings of the last meeting, holden at St Androes; his Majestie's hie displeasure kindled by occasion therof, like a flamme of fire readie to consume all, except it were quenched in this present Assemblie, by condescending to the five articles. He carped at the state of our church, wherof he was ignorant. It pleased him to bring in the Puritane and the Papist, charged with conspyring, like Herod and Pilate, *si non contra Christum Dominum, tamen contra Christum Domini.* In end, with words framed for the purpose, and uttered in a murning maner, he laboured to persuade the ministers to consent to the five articles. Mr David Lindsay, Bishope of Brechine, in his defence of the proceedings of this Assemblie, has sett doun his harangue, as it was received at that time by one that stoode by, as he alledged, in the tenor following:—

"MOST HONORABLE, MOST REVEREND, RIGHT WORSHIPFULL, AND DEARLIE BELOVED,—It might weill become me, according to the exemple of Elihu in the historie of Job, in the presence of so wise, so grave, so religious, and learned an Assemblie, to wait in silence till the more ancient in yeers had spoken. But that I know, that the soveraigne Majestie of our gracious lord and maister the king, who hath regardit so much the lowliness of his servant, as to send me unto you at this time, to be the messenger of his will and pleasure now openlie redd in your eares, will pro-

cure attention to a few words, which sall be uttered, with the uprightness and sinceritie of a heart whollie devoted, as unto the glorie of God, and honour of our great maister the king, so, to the happie, free, and floorishing estate of this church and kingdome, unto which I am tyed by so manie strong bands, that Moses the friend of God, and Paul that chosen vessell of Christ, who are recordit in Holie Scriptures to have exceedit in their affection to the people of Israel, their deare countrie men, did not in that ow more unto them, than that which you all well know I ow unto you. And wold to God I were als able to pay so just a debt, as I am, and ever sall be, most readie and willing to acknowledge it.

"*Hic amor meus pondus meum*, for from this love and duetie I ow unto this place of my first and second birth, (God he best knowes,) how the sorrows of my heart have beene inlarged, since the time of the last Generall Assemblie at St Androes, to heare suche words of indignation and just displeasure, so often to proceede out of the mouth of so good and gracious a prince, like Moses, the meekest man upon the face of the earth. *Sed verendum etiam atque etiam, quo exeat patientia tam sæpe læsa.* Words spoken against those that are called to be ministers, ambassadours of peace, and paterns of pietie and obedience, uttered in the eares of them who labour indeid, as it becometh so loyall and loving subjects, by their humble and duetifull obedience to his sacred Majestie to outstrippe those that went before them, and albeit they have the last, yit not to have the least portion in our David's love. But as then, with all good and well affected men, I much greeved, so now, I heartilie rejoyce and praise God, that notwithstanding of all that is past, I have lived to see this day a Generall Synode once more of the Church of Scotland, called by the authoritie and expresse command and pleasour of our soveraigne lord the king, which is the onlie true and best meanes indeid used in all ages, for extirpating of all sects, errours, and heresies, and for the planting of trueth and good order in the church of Christ. And I pray God, that all things at this meeting may, by the direction of God's good Spirit, and by your wisdomes, be so caried, that ye abridge not yourselfs

and posteritie of so great a blessing, and procure, that not onlie these things which are now required, but that other things more difficult be injoyned and inforced upon you, upon strict penaltie, by supreme authoritie.

"And therefore I desire, (as I am sent to that purpose,) with the apostle, Titus iii., to putt you in rememberance that you be subject to principalities and powers, and that you be obedient and readie to everie good worke: to put you in rememberance, that by the great blessing of Almightie God, you have to doe with so wise, so potent, so religious, so learned a prince, the matchless mirrour of all kings, the nursing-father of his church. That he, whose wisdome and authoritie is in the composing of all differences both ecclesiasticall and civill, so much required, respected, and admired, not onlie by his owne people of his other kingdomes, but by all good Christians of forreine nations throughout the Christian world, may not seeme to be neglected by you, his native subjects at home, and you especiallie of the ministrie, who ought to be exemples and paternes of obedience unto others; you whom he hath so infinitlie obliged, by his so great bountie and constant love: To putt you in rememberance, that as with noe small disreputation unto his Majestie, and diminution as it were of his princelie authoritie, in the judgement and sight of the world, whose eyes are bent upon these proceedings, he hath granted you so long time by your Christian and godlie endevours with your severall flockes, (whom you are to leade, and not to be ledd by them,) to remove, (as you promised to his Majestie,) being heir amongst you, and againe confirmed at your last Generall Synode, all those scandals, which might be taken by the more ignorant and unadvised sort of your people, (to whom all innovation, though to the better, may seeme at the first somewhat strange;) so that now, you wold be carefull, as muche as in you lyeth, to take away that more dangerous and open offence and scandall, which by your delay and refusall of obedience, you sall cast upon the sacred person of our sovereigne lord the king, the most constant and zealous protector and defender of that faith and trueth which we

all professe, and for the which he hath suffered such open gainsaying of the adversaries therof, the limbes of Antichrist; as if he who hath laboured so much to exalt the glorie of this nation farre above all his predecessours in the eyes of the world, now going about most of all, to humble us unto our God, and in performance of the act of greatest devotion, according to his owne exemple, to bring us unto our knees, did in so doing in anie wayes urge his subjects to anie thing which might savour of superstition or idolatrie: To remove the scandall from these who are in authoritie amongst you, and are sett over you in the Lord, who by their duetifull obedience unto God and their soveraigne, have alreadie, both by their doctrine and practise, commendit those things which are now required of you, to be both lawfull and expedient: To take away that scandall and aspersion, which by the seeming reasons of your former refusall or delay, you have cast upon others so glorious reformed churches, as if the Holie Ghost and spirit of reformation had beene given onlie, and hollie rested upon you: To remove that notorious and publict scandall, which by the fyrie and turbulent spirits of some few privat men, lyeth heavie upon the fervent and zealous professours of the glorious Gospell of Christ, as if they also were disobedient unto magistracie, and in this did seeme to joyne hands with the maine upholders and pillars of Poperie. It hath wounded the spirits of good men to heare it often spoken. *Ne dicatur* (*utinam amplius*) *Gathi, et in plateis Aschelonis*, nay, to see in print, that Herode and Pilate were now reconciled againe, if not *contra Christum Dominum*, yet *contra Christum Domini*. Lastlie, to prevent that lamentable miserie and calamitie, which God in his justice might bring upon this church, in that you regardit not the blessed time of your visitation, and despised the long-suffering and goodnes of God, and of so bountifull and gracious a soveraigne.

"And so, to conclude, (for to stand now upon the particulars were but *actum agere*, and you neede noe gleanings, efter so plentifull a harvest, or the light of a candle, being inlightened by the cleere beams of the sunne;) with that of Naaman's servants,

(2 Kings v.,) unto their lord and master, 'Father, if the prophet had commandit thee a greatter mater, shouldest thou not have done it?' So, right reverend fathers and brethren in Christ, if our most gracious soveraigne lord, who hath done so much for you, had commandit you greatter things, so long as they might stand with the will of God, and in noe ways be repugnant unto the same, (for in that case, indeid, the apostle's rule holds inviolablie true, Δεῖ πειθαρχεῖν μαλλον Θεῶ, ἡ ανθρωποις, that we must rather obey God than men,) sould you not have beene readie your selfs, and by your doctrine and practise have induced others, to obedience? Much more then, when he requireth of you but these few necessarie things; necessarie and expedient for the glorie of God, for the advancing of pietie amongst you, for the honour and due satisfaction unto our soveraigne lord the king, for the happie establishment of order, place, union, and love amongst your selfs, and in these united kingdomes. Therfor let me beseeche you, in the bowels of Christ, to give all their due, *Quæ Cæsaris Cæsari, quæ Dei Deo.* And as Constantine the Great (as Eusebius hath it) wrott unto his churchmen that troubled his peace and other weightie effairs, with their contentious humors, so let me intreate you in the behalfe of our Constantine, *qui dum rogat jubet: Date illi dies tranquillos et noctes curæ et molestiarum expertes*, that so he may with much joy and contentment of heart yit once more, as he proposeth, if not often, visite your coasts, and those places which his soule so loveth. And that this poore church and his native kingdome may be made ever more and more happie by his coming, and long peacable and prosperous raigne: and God and men say, Amen to it. Amen, Amen."

The ministers, defenders of the established order, perceiving the drift of the discourses, and all other meanes to be prepared and disposed for dashing of simple men, modestlie required foure things: 1. That none be admitted to vote, but such as are authorized with lawfull commission. The archbishope answeired, his Majestie had written to noblemen and barons, willing them to be present at this Assemblie: if anie man had anie exception against

them, they sould be heard. It was replyed, that they were not to except against their honorable persones or presence, but earnestlie to crave, that the order of the church might be observed, wherby it is provyded, that without commission, none have place to vote in Generall Assemblies. 2. That the libertie of the church be not broken in the election of the moderator, and that a lawfull lite be made to that effect. It was answeired by the archbishope, that this Assemblie is convocate within the bounds of his diocie: he wold understand who will take his place over his heade. So, he intrudit himself in the moderator's office without election. 3. That the articles proponed in short and generall summes might be putt in forme, and amplie extendit, as his Majestie wold have them inacted, that they may be the better advised and considered. The pretendit moderator answeired, "Let alone these toyes: trouble us not with needles questions; we sall speake of these things in the privie conference." 4. That some of either opinion may be sett apart to collect and put in order the reasons of either side, for the more sure and easie information of the Assemblie. The pretendit moderator rejected this also as impertinent.

He proceedit at his owne pleasure, without advyse or information of the provinces or presbyteries, to the nomination of the privie conference, before that the clerk had received the commissions. He nominated besides his Majestie's commissioners, their assessors, and the noblemen, all the barons except thrie, all the bishops, the commissioners of Edinburgh, Perth, Dundie, threttie-seven doctors, and other ministers. The most part was such as were alreadie resolved to yeeld; others were not experitated in the state of our church. Sume few of the other opinion were taken in to try the force of their arguments in private, that in publict they might either be evadit or suppressed. So there were chosen to be upon the privie conference, the king's commissioners and assessours, the Erle of Lothian, the Lord Ochiltrie, the Lord Sanquhar, the Lord Boyde. Barons, Waughton, Weyms, Balcolmie, Bogie, Clunie, Glenurquhart, Balcarras, Lagge, Balmanno, Bonnitoun. For the ministers, Mr Patrik Galloway, Mr Henrie

Blyth, Mr Johne Weyms, Mr George Grier, Mr Johne Carmichaell, Mr William Scott, Mr Alexander Glaidstanes, Archdeane of St Androes, Doctor Philip, Doctor Strange, Doctor Bruce, Mr Johne Hay, persone of Renfrew, Mr Thomas Muirheid, Mr Michael Wallace, Mr Thomas Ramsay, Mr James Knox, Mr Robert Henrisone, Mr Johne Guthrie, Mr Johne Malcolme, Doctor Forbesse, George Dowglas, Mr Patrik Dunbar, Mr James Bishope, Mr George Chalmer, Mr James Simsone, Mr Robert Sommer, Mr David Lindsay, Mr David Monro, Mr Archibald Moncreefe, Mr James Burdoun, Mr Johne Makenzie, Mr Johne Mitchelsone, Mr Patrik Shaw, Mr James Hammiltoun, Deane of Glasco, Doctor Hammiltoun. For the burrowes, Edinburgh, Perth, Dundie, Aberdeene, Glasco; and all the bishops. After the said nomination, the conference was appointed to conveene at thrie efternoone, and the Assemblie at eight hours in the morning. So endit the first session.

The conference conveened at thrie efternoone. The king's letter was redd againe. The moderator secondit it with manie terrours. To make them goe quicklie to worke, he affirmed, that four articles were alreadie concludit, in the Assemblies holden last at Aberdeene and St Androes, howbeit not in forme as his Majestie required, and that kneeling onlie rested to be consented to. To prove his alledgance, a minute was redd, containing the points conferred upon at the places forsaid, and noe farther evidence was produced. He addit, that his Hienes altogether refused the cautions and conditions addit by the said Assemblies, as frustrations of his intention. The moderator affirmed, his Majestie was still offendit at the Assemblie holden at St Androes. For removing of that offence, he wold have had the article of kneeling putt to voting in the conference, without reasoning. But efter earnest dealing, and much bussines made, by pluralitie of votes, it was concludit that it sould be putt to reasoning.

For cleering the state of the question, the ministers, defenders of the established order, required againe, 1. That the said articles might be extendit to the full, and put in perfite forme. 2. That

the partie of the other judgment wold prove them necessarie and expedient for our church, according to the rule, "*Affirmanti incumbit probatio*," or otherways, improve our former order alreadie established, as superfluous or confused. 3. That tyme and place might be granted to all having calling and interest to reasone frielie, and heare reasoning in presence of the Assemblie, for their better direction. 4. That the reasons of moment might be proponed and answeired in wryting, and some few of either side appointed to put them in due forme and order.

The moderator, notwithstanding of the reference of these conditions to the privie conference, rejected them; and as for the partie persuer, and partie defender, in the reasoning, he determined by himself, that the ministers, defenders of the established order, must either prove the articles to be impious and unlawfull, or els they must prove disobedient to his Majestie. It was replyed, that poore subjects neither ought, nor convenientlie could dispute, upon a question so affected with disobedience to their soveraigne, as was there alledgit. But if reformation be intendit, and the trueth of the articles proponed be sinceerlie to be searched, so farre furth as they may prove good and expedient for this church, the order agreed upon by his Majestie at Perth, 1597, cannot of reasone be refused, viz., that maters touching reformation of externall governement be proponed *ordine et decenter, animo ædificandi, non tentandi*, for searching the trueth, the undoubted ground of true unitie. Notwithstanding of whatsoever could be alledgit, the ministers standing for their possession were forced to be persuers, and either to object against the said articles, or els to be reputed disobedient to his Majestie, and to have noe reasone on their side. The time being spent, some few reasons were alledgit by the ministers, which were cutt of, rather by cavilling and quarrelling at men's persons than solidlie answeired. The conference was appointed to hold in the morning, at eight houres, notwithstanding the said houre had beene appointed for the second session of the Assemblie.

Wednesday, 26th of August.

The privie conference conveened at eight hours in the morning. Much time was spent with the bishope's discourses, and other preparations for making way to summare reasoning. Some few arguments were proponed by the ministers against kneeling in the act of receiving the sacramentall elements of breade and wine, but answeired as before. The pretendit moderator, to cutt of reasoning, was instant that kneeling might be voted. The ministers alledgit that the proper use of the conference is, to prepare and put in order maters that are to be debeatted in the face of the Assemblie, and not to vote; for it was ane intolerable noveltie in the kirk, a great prejudice to publict voting, and a presumptuous usurpation, to vote and conclude maters belonging to the whole church. And, therfore, it was required that the voting and further reasoning might be reserved to the full Assemblie. The pretendit moderator replyed, first, that was the custome of the Lords of the Articles in parliament, to proceede efter that maner. Nixt, that he wold not spair to committ twentie prejudices to please the king. Farther, that the voting in the conference was onlie by way of advise, and not to determine. So, under colour of advise, by pluralitie of votes, it was concludit in the conference, that the gesture of sitting at the Communion sould be changit in kneeling. All that were upon the conference, ten or ellevin excepted, voted for kneeling. Howbeit they called their votes advises, yit none of them did retreate their advise in publict Assemblie, except one. So this course was verie prejudiciall to the libertie of the Assemblie, for loath are men that stand upon their reputation to alter their judgment, or at least to professe it to be altered in so short a time, to eschew the note of inconstancie. The ministers standing for the established discipline required that the articles might be formed. Efter long debate, it was concludit by pluralitie of votes, that they sould be formed and extendit, as they were to pas in acts. Some bishops and doctors were named

for that purpose. The conference was appointed to hold at four efternoone.

The Assemblie being frustrate of their dyet in the morning, assembled at four efternoone, at the call of the bell, beside the moderator's expectation. He shewed to them, that that houre was appointed for the conference allanerlie; yit he told them, that some were appointed to putt the articles in forme, and they were to be produced before them. So he desired them to depart, that maters might be expede, for ending of the Assemblie the morne. It was declared by the ministers, in what maner the conference proceedit, notwithstanding they opponed to anie voting which might be prejudiciall to voting in publict Assemblie. The rest of this short time was spent in talking upon Simonie, the planting of the kirk of Edinburgh, and order to be taken with beggers.

Thursday, the 27th of August.

William, Bishope of Galloway, had a sermone in the morning, upon Rom. xiv. 19. He sett at nought the ancient order of our church, somtimes highlie commendit by himself. He presumed to catechize these who might have catechized himself. He extolled his own new light. This sermone was contrarie to that which he had before the States of Parliament, *anno* 1606.

The second and last session of the Assemblie was holden efter dinner. The king's commissioners and the bishops, masters and rulers of the Assemblie, determined to end all this efternoone. They assured them, that out of the house sould they not goe, till his Majestie was satisfied of his desire. The pretendit moderator aggredgit the necessitie of yeelding, and instantlie urged present voting, without further delay; stronglie inferring, that his Majestie behoved to be satisfied, and assuring them, that his Hienes wold accept of noe other answeir but yeelding. To effectuate his purpose, he blew out manie threatnings in most peremptorie maner. He insulted upon the ministers assembled, as if they had beene hirlings, saying, "I know you all weill eneugh. Ther is

never a one of you will suffer so much as the losse of your stipends for the mater. Think not but when the act is made I will gett obedience of you. There is none of you that voteth in the contrarie mindeth to suffer. Some men," said he, "pretend conscience, and feare more to offend the people than the king. But all that will not doe the turne." Albeit he had formerlie affirmed, in the case of requiring consent, that although the act were made, his Majestie wold be mercifull in urging obedience therto, and they knew him to be more favorable to his brethren than anie bishope of England. He tooke it also upon his conscience, though it was not true, that there was neither lasse nor lade, rich nor poore, in Scotland, some few precise persons excepted, who were not onlie content, but also wished that order of kneeling to be received, wherof he had proofe and experience in his owne citie of St Androes, and in this toun, since he came hither. He made mention of a pamphlet casten in the pulpit of Edinburgh, wherin it sould have beene affirmed, that the bishops were bringing in Papistrie, and that goode professors will fight in defence of their own religion. By way of answeir therto, he confessed, that ceremonies make not the separation betuixt us and the Romane church, but their idolatrie, the which, if the Romanists wold forsake, they wold meete them midway, and joyne with them. And as if the ministrie had knowne anie such professors disposed to fight for the religion, or had beene of purpose to joyne with them, he dissuads them to leane to such words, for he had seene the like of that before time, at the seventeenth day of December. He wished, if such a thing sould happen, it wold please his Majestie to mak him a captaine: never anie of these braggers wold come to the feild.

After these blasts and terrors, the ministers, with modest importunitie, insisted that the maters depending might be better cleered by further reasoning and advisment; so much the rather, becaus these maters had not beene reasoned in full Assemblie, for the information of all those that had interest. After much dealing, and manie earnest speeches and desires to be heard, some fashion of libertie was granted to a few, but with such checks and limita-

tions to the partie that preassed to propone and reasoun, that quicklie they were cutt off, and sowrlie rebuked, rather borne doun with authoritie than satisfied with reasone. His Majestie's cheefe commissioner, Secretarie Hammiltoun, and the pretendit moderator, straitlie injoyned them either to propone a new reasone, or els to hold their peace, when as the argument had either not beene proponed in conference, or, if proponed, not answeired, or, if answeired, not suffered to be replyed unto. And suppose all this had beene done in the conference, yit all was new to the full assemblie, and ought to have beene repeated and fullie discussed, for information of all votters. Yea, manie ministers had not so much as accesse to heare, or propone one argument. They had noe seattes provydit for them, as the other partie had; gentlemen thronged in before them. The defenders of the articles were permitted to discourse als long as they pleased, to gybe, mocke, and cavill; so light account made they of the maters in hand, or the fearfull shisme which might insue upon such disorders, that their behaviour was offensive to the beholders. The best arguments and answeirs were taken from the authoritie of the king's sword: he will ranverse all, except we yeeld. Or the authoritie of his word; as when it was alledgit out of Zanchius upon the Fourth Commandement, that things indifferent, abused to idolatrie, sould be altogether removed, the pretendit moderator opponed the judgment of the King of Great Britaine to the judgment of Zanchius, or anie of the learned. In a word, the pretendit moderator professed plainlie, that neither their reasons nor their number sould carie away the mater. These articles must be concludit, and sould be concludit; although there were none but the elleven bishops, with the authoritie of his Majestie's commissioners, they sall impose them.

After some few reasons proponed and answeired, as said is, it was confessed, that if his Majestie could have beene pleased, or putt off, they wold have reasoned against these articles, and the introducing of them in this kirk. Doctor Lindsay, now Bishope of Brechine, being posed in conscience, confessed that they had

neither Reasoun, Scripture, nor Antiquitie for kneeling. But to avert the king's wrath, he thought it best to yeild. As he himselfe confessed, he answeired this way: "On my conscience, I neither know Scripture, Reasone, nor Antiquitie, that inforceth kneeling, sitting, standing, or passing, as necessarie, but think them all indifferent; and, therefore, that anie of them may be lawfullie used, when it is found expedient. And considering nothing to be more expedient for the weill of our kirk, than to keepe peace with our gracious soveraigne, and not to contend for such maters, I judge, yeelding to his Hienes' desire the onlie best." Some velitation there was about holie dayes, but nothing spoken of the thrie other articles: boasting and posting confoundit all.

The ministers not being permitted to reasone, and persue their arguments verballie, with such libertie as was requisite, and fearing prejudice in voting, gave in some articles in writt, to be considered before the Five Articles were putt to voting; professing they were readie to present in writt particulare reasons against everie one of the said articles. The presenter, Mr Johne Scrimgeour, was commandit to subscribe them, and was rebuked, as not having commission. They suspected that he was to present a protestation against the proceedings of the Assemblie, for preventing wherof, they had declaimed before against the protestation subscribed at the last parliament, as treasonable and seditious. But when he was perceived to seek a pen to subscribe, the pretendit moderator received them out of his hands. Two of them were redd, but noe wayes respected, the rest was suppressed. The articles heir follow:—

THE ARTICLES PRESENTED TO THE ASSEMBLIE, AUG. 27, WITH SOME QUOTATIONS ADDIT, FOR CONFIRMATION.

"Forasmuch as we have beene debarred of accesse, and from hearing the proceidings of the conference, their reasonings, consultations, and advisments, anent the articles proponed to this Generall Assemblie, wherof all and everie ane of them so neerlie

toucheth us in our Christian resolution and offices of our ministrie: In most humble maner, we present to your considerations the particulars heirafter specified, in the feare of God, intreatting your favorable answeir to the same.

"First, The articles proponed, if they be concludit, they doe innovate and bring under the slander of change the estate of this church, so advisedlie established by ecclesiasticall constitutions, acts of parliament, approbation of other kirks, and good liking of the best reformed Christians without and within this kingdome, and so evidentlie blessed with happie successe and sensible experience of God's greattest benefits, by the space of fiftie-eight yeers and above. So that we may boldlie say to the praise of God, that noe church hath injoyed the trueth and puritie of religion in larger libertie. And upon some such considerations, it pleased his gracious Majestie to continue the Church of England in her established estate, as may be seene in the conference at Hamptoun Court, and Thomas Sparke his booke written therupon,—'*Ipsa quippe mutatio etiam quæ adjuvat utilitate, novitate perturbat: quapropter quæ utilis non est, perturbatione in fructuosa consequenter noxia est,*' sayeth Augustine, Epist. 118. That is, Even a change that is helpfull for utilitie, perturbeth with the noveltie; wherfor, consequentlie, a change that is not profitable is noysome, through fruitles perturbation. 'Rather a kirk with some fault, than still a change,' it is said in the conference at Hamptoun Court.

"2. The receiving againe of these articles so justlie rejected, and so carfullie and long keiped furth of this kirk, greeveth reformed professors tenderlie affected to our reformation, and giveth occasion to our adversaries to reprove our separation from them, of rashnes, levitie, and inconstancie, and not onlie hindereth their conversion, but strengthens their hope of our farther conformitie with them. *Quoties non mutarunt suam quisque sententiam? Quod ædificant hodie, cras destruunt. Hodie, lapidem locant in fundamentum, cæmentoque confirmant, quem postero die eruunt et conterunt. Ubique revocationes, emendationes, novi fœtus, aliæ atque aliæ; quoties nova sententia placet assertiones, alius deturbat alium, confusio*

confusioni permiscetur, atque interim 'scinditur incertum studia in contraria vulgus.' Nec adhuc cernimus aliud, et quis nisi mente captus, dicat istiusmodi artifices reædificare ecclesiam Dei, quibus omnia incerta, fluxa, instabilia, contraria, quibus nulla dogmatum constantia nulla animorum consensio? Antid. Colomens. pag. 4. That is, How oft have they not changed everie one their opinion? That which they build to-day, they demolishe to-morrow. They place this day a stone for a foundation, and make it sure with morter, which they pull up the day following, and bruise in peeces. Everie where there is revocations, corrections, new births, diverse assertions, as oft as a new opinion pleaseth anie of them. One throweth doun another, confusion is mingled with confusion, and in the meane time, the doubtfull vulgars are severed in contrarie factions. Neither as yit doe we perceive anie other thing. And who will say, except such a one as is beside himself, that such artisans reædifie the kirk of God, to whom all things are uncertane, flowing, unstable, contrarious, who have noe constancie in the heads of doctrine, nor consent of minds? &c.

"3. They cannot stand in one profession with brotherlie kindness, peace, and love, which must be tenderlie keipt amongst the members of Christ's bodie, as the same consists of stronger and more infirme, as may appeare in the apostolicall rules following: First, 'All things are lawfull to me, but all things are not profitable. I may doe all things, but I will not be brought under the power of anie thing.' 2. 'Let everie man be fullie perswadit in his owne mind.' 3. 'Whatsoever is not of faith, is sinne.' 4. 'Let everie one understand, according to sobrietie, as God has dealt to everie man the measure of faith.' 5. 'Take heade, least by anie meanes, this power of yours be an occasion of falling to them that are weake.' 6. 'Through thy knowledge sall thy weake brother fall, for whom Christ died?' 7. 'When ye sinne against the brethren, and wound their weake consciences, ye sinne against Christ.' 8. 'Whatsoever ye doe, doe all to the glorie of [God.]' 9. 'Give noe offence, neither to the Jew, nor to the Grecian, nor to the Kirk of God.' 10. 'Please all men in all things, not seeking

your owne profite, but the profite of manie, that they may be saved.' 11. 'Caus not your commoditie to be evill spoken of.' 12. 'Let all things be done honestlie, and in ordour.' Things indifferent (put the case men's invention were of that nature) in the case of scandall, cease to be indifferent, and are as things morall, Gal. ii. 3.

" 4. They give way to humane inventions, and bring the wrong key of man's witt within the house of God, wherby toyes and trifling ceremonies in number and force are multiplied, as men's witts are variable to invent. Who requires these things at your hands?

" 5. The admitting of some openeth the doore to the rest, and the multitude of such make us inferior to the Jewes in two respects: 1. Their ceremonies were all divine. 2. In number, fewer than rituall Christians doe observe, betuixt the Pasche and the Pentecost. Gersone complaineth, '*Quod multitudine levissimarum ceremoniarum, vis omnis Spiritus Sancti quem in nobis vigere oportuit, et vera pietas, sit extincta:*' That with the multitude of frivolous ceremonies, true pietie was extinguished, and the force of the Spirit, which ought to be powerfull in us. Jewel Apolog. pag. 116. '*Sed quamvis hoc neque inveniri possit, quomodo contra fidem sunt, ipsam tamen religionem servilibus oneribus premunt, ut tolerabilior sit conditio Judæorum, qui etiamsi tempus libertatis non agnoverunt legalibus, tamen sarcinis non humanis præsumtionibus subjiciuntur.*' August. Epist. 119. Howbeit it cannot be found that they are contrarie to the faith, yit they presse doun religion it self with servile burdens, so that the estate of the Jewes is more tolerable, who, howbeit they did not acknowledge the time of their libertie, are subject notwithstanding to the burdens of the law, not to the presumptions of man. '*Quanto magis accedit cumulo in ecclesia, tanto magis detrahitur non tantum libertati Christianæ, sed et Christi, et ejus fidei.*' Confes. Orthod. cap. 27. That is, The more that the heape of rites and ceremonies in the kirk increaseth, the more is derogated not onlie from Christian libertie, but also from Christ and his faith. Learned and grave men may like

better of the single forme of policie in our kirk, than of the manie ceremonies of the Kirk of England. Epist. before Basilicon Doron.

"6. They hinder ædification; for how meekle time and zeale sall be spent upon the inbringing and establishing of these, als much leasure and opportunitie sall Sathan gett, to sow and water the tares of atheisme, shisme, Poperie, and dissention. Consider the sentences following: 1. 'Let us proceede by our rule, that we may mind one thing,' Philip. iii. 16. 2. 'Let us follow the trueth in love, and in all things grow up in him who is the head, that is, Christ,' Eph. iv. 15. 3. 'Give noe place to the devill.' 4. 'If ye be otherwise mindit, God sall reveale the same to you.' 5. 'Feede my sheepe.' 6. 'Tak head unto your selfs, and to the flocke.' 7. 'Let noe roote of bitternes spring up, to trouble you.' 8. 'Fulfill my joy, that ye may be like mindit, having the same love, being of one accord and of one judgment; that nothing be done through contention and vaine glorie, but that in meeknes of mind everie man esteeme others better than himself.' 9. 'Doe all things without murmuring and reasoning.' 10. 'It was needfull for me to wryte unto you, that ye sould earnestlie contend for the faith which was once given to the sancts.' 11. 'Whill men sleept, the enimie came, sowed his tares amongst the wheate, and went his way.'

"7. Maters of that nature bring inevitablie with them disputations, divisions, contentions, as may be seene in all kirks where such coales of contention getts entrie. The Pascha of the primitive kirk, the Interim of Germanie, the rent of the Kirk of England, our owne experience, since the strife of the externall gubernation began among us, &c.

"8. They bring a sensible blott, either upon the happie memorie of our godlie and wise predecessours, in so farre as we depart from that reformation so wislie brought in, appointed and established by them; or els, upon our selfs, by resuming againe of diverse superfluities without reasone, rejected by them for weightie and necessarie causes. '*Magnum est hoc Dei munus, quod una, et*

religionem puram, et entaxiam doctrinæ, videlicet retinendæ vinculum, in Scotiam intulistis. Sic obsecro et obtestor, hæc duo simul retinete, ut uno amisso, alterum non diu permanere posse, semper memineritis.' Bez. Epist. to Mr Knox. This is a great benefite of God, that ye have brought into Scotland true religion, and good order, the band that retaineth doctrine at one time. So I beseeche you and obtest, that ye retaine these two together, so that ye remember, that if the one be lost, the other cannot indure long. And againe, he sayeth: '*Quam recte illud quod disciplinam simul cum doctrina conjungitis. Obsecro et obtestor ut ita pergatis, ne vobis idem quod tam multis, ut qui in limine impegerunt progredi non possint, imo, etiam interdum ne velint quidem, quod longe miserrimum est.*' How well was that done, that ye conjoyned doctrine and discipline together. I beseeche you and obtest that you goe forward, least it happen to you, which has befallen to manie that could not make a progresse, having stumbled in the verie entrie, yea, somtime were not willing, which is most lamentable.

"9. They sett loose the filthie minds and mouths of fleshlie livers, to triumph against the most sound and best reformed professours, and to rejoyce in their rotten opinions, and restored opportunities of sensuall observation, of guysing, gluttonie, carrells, &c.

"10. They are declared by this church to be contrarie doctrine, as may be seene in the first, second, and thrid chapters of the First Booke of Discipline, in these words, 'We judge, that all doctrine repugnant to the evangell sould be utterlie suppressed, as damnable to man's salvation.' In the books of Old and New Testament, we affirme, that all things necessarie for the instruction of the Kirk, and to make the man of God perfite, is contained and sufficientlie expressed. By contrare doctrine, we understand whatsoever men by lawes, councels, or constitutions, have imposed on the consciences of men, without the expresse commandement of God's Word, as keiping of holie dayes commandit by man, the feast of Christmas, and other feasts.

"11. The commissioners of presbyteries heir assembled, suffi-

cientlie understanding neither the presbyteries from whom they have their commissions, nor the particulare churches of this realme, either require, are willing, or consent to admitt these novations. '*Confitentur theologi, nihil esse per synodos ecclesiis, invitis obtrudendum.*' The divines confesses, that nothing sould be obtrudit upon the churches by synods against their will.

"12. The commissioners of presbyteries heir assembled, understanding the alienation of them from whom they received commission from these articles, can by noe warrant bind nor oblige their unwilling presbyteries and congregations to their votes. '*Ecclesiam dissentientem et invitam obligare quis potest?*' Who can bind a kirk disassenting and unwilling?

"13. There stand in force diverse Acts of Parliament in favour of our present ordour; Jac. VI. p. 1, cap. 8; Jac. VI. p. 6, cap. 68, and cap. 69. *Item*, The first Act of the Parliament, 1592.

"14. The ministers of this church, by order of the same, printed and inserted before the Psalme Booke, at their admissions *respectivè*, promise, in the presence of God and of this congregation assembled, to abhorre, and utterlie to refuse all doctrine alledgit necessarie to salvation, that is not expreslie contained in the Old and New Testament; and according to the graces and utterances that God sall grant unto them, to professe, instruct, and maintaine the puritie of the doctrine conteaned in the sacred Word of God, and to the uttermost of their power to gainstand and convince the gainsayers and teachers of men's inventions. *Item*, To submitt them selfs most willinglie to the wholsome discipline of this church, by the which they were then called to the office and charge; promising, in God's presence, obedience to all admonitions, secretlie or publictlie given, &c.

"15. The subscrivers of the Confession of Faith, by their oath therin conteaned, promise and sweare to continue in the obedience of the doctrine and discipline of this church, and to defend the same according to their vocation and power, all the dayes of their lives, under the paines conteaned in the law, and danger both of bodie and soule in the day of God's fearfull judgment; and to

abhorre and detest all contrarie religions, but cheeflie all kind of Papistrie in generall, even as they are now damned and confuted by the Word of God and Kirk of Scotland. But in speciall, the Pope's five bastard sacraments, wherof confirmation is one; with all rites, ceremonies, and fals doctrines addit to the true sacraments without the Word of God, his absolute necessitie of baptisme, &c. Which confession, and practise following therupon, is come to the eyes of the world in print, and solemnlie renued in the covenant celebrated in the Generall and Provinciall Assemblies, Presbyteries, and Kirk-sessions, in the yeere of God 1596. And how sall anie man be heard to speake against that wherunto he hath formerlie sworne and subscribed? Sie the conference at Hamptoun Court."

The ministers, notwithstanding of the preceeding terrours, most humblie and earnestlie requeisted the king's commissioners, that the concluding of the articles might be continued, till their reasons were sent in writt to his Majestie, and answeir returned. But their humble requeist was despised.

Before the roll was callit, his Majestie's letter was redd againe in open audience of the Assemblie, noe doubt, to the end the last impression might incline the voters to consent. The ministers, defenders of the established order, required againe, that none might have place to vote but such as were authorized with lawfull commission. But that order was not admitted; yea, the pretendit moderator answeired, that if all Scotland were present there, they sould vote.

The question putt in voting was formed somtime thus: "Will ye accept or refuse the Five Articles?" Somtime thus: "Will ye consent to these articles, or disobey the king?" The words chosen to distinguishe the votes were, "Agrie, Disagrie, *Non liquet.*" The question proponed was affected with this strait condition, "He that denyeth one, denyeth all." The pretendit moderator certified them, that whosoever voted against the articles, his name sould be marked, and given up to his Majestie. He tooke the roll of the names in his owne hand from the clerk. First were called the king's commissioners and their assessors; then the noblemen, bishops, and barons; then the doctors and ministers; and, last of

all, the burgesses. The doctors' and ministers' names were called on without order, for he called first on these of whose consent he was assured, without respect to the order of province or presbyterie. As for exemple, on the Archdeane of St Androes, and Mr Patrik Galloway, a man of manie pensiouns, when the ministers of the North were called on. In calling the names, he inculcated these and the like words, "Have the king in your mind! Remember of the king! Looke to the king!" Some wanting commission, of whose assent they were sure, were callit. Others, whose negative they feared, were pretermitted. In end, by pluralitie of votes, the Five Articles were concludit. 1. Kneeling in the act of receiving the sacramentall elements of breade and wine. 2. Five holie dayes; the day of Christ's Nativitie, Passion, Resurrection, Ascension, and the Pentecost. 3. Episcopall confirmation. 4. Private baptisme. 5. Private communion. His Majestie's commissioners and their assessors, all the noblemen except Ochiltrie, all the barons except Waughtoun, who went home, all the doctors except Doctor Strange, all the burgesses, and a number of the ministers, votted *affirmativè*. One nobleman, one doctor, and fourtie-five ministers, voted *negativè*, some few, *Non liquet*. Doctor Lindsay, now Bishop of Brechine, affirmeth, that fourtie-one onlie refused, and four were *Non liquet*.

The cheefe reasoners against the articles in the conference, or in open Assemblie, were Mr William Scott, Mr Johne Carmichael, Mr Johne Weyms, Mr Alexander Henrisone.

The bishop proponed an act to be made, that all ministers at their admission sould swear, that they have made no private paction for diminution of the stipend modified by the commissioners appointed by the Parliament.

Item, A ratification of the catechism allowed at Aberdeene, and printed since with priviledge.

Item, That everie minister have care, that the act against beggers be observed in their paroche.

Item, That Mr William Scott and Mr Alexander Henrisone be transported till Edinburgh.

THE NULLITIE OF PERTH ASSEMBLIE.

First, There were foure diocies absent, Orknay, Caithness, Argile, and the Iles, and commissioners from some presbyteries, by reasone of the suddane indiction, and late premonition.

2. The pretendit primate usurped the moderator's place without election.

3. The bishops, a great number of noblemen, barons, and some ministers, wanting lawfull commission, caried themselves as members of the Assemblie, and voted. Noe baron ought to have voted without commission, according to the act made in the yeir 1597, by which act, one barone onlie sould be elected out of the bounds of a presbyterie. By that act, noe burghe except Edinburgh may send moe commissioners than one; yit at this Assemblie, there were two admitted for other burghes. It was provided by the said act, that a presbyterie might not direct moe nor three commissioners to the Generall Assemblie; yit at this Assemblie, there were six or sevin admitted out of one presbyterie; as for exemple, Mr Andro Alane and Mr James Burdoun were onlie chosen commissioners for the Presbyterie of Ochterairder, yit Mr Adam Bannatyne, Bishope of Dumblane, addit sevin or eight unto them. Their names were called among the rest, and they voted. At St Androgs, in Aprile 1582, it was thought expedient that presbyteries sould not be astricted to direct their moderator in commission, but that libertie be left to them to choose whom they judge fittest for the purpose. Nevertheless, at this Assemblie, some moderators of presbyteries, not chosen by their presbyteries, voted onlie by vertue of a forged clause foisted in an act of a pretendit Assemblie holdin at Linlithgow, in the yeer 1606. To which Assemblie, neither the bishops now will, nor the church then did stand. Farther, the present moderators are of a new stampe, viz., the bishops' deputies placed by them over presbyteries. When the king himself was present, he claimed but one vote; yit all his commissioners, and their assessors, had everie one their severall vote. The bishops

themselfs ought to have noe vote in the Generall Assemblie, unles they have commission from some presbyterie, as was ordained in the caveats. But they disdaine to take a commission. Farther, they ought to have beene secludit, by reason of the prejudice committed by them, by practising the ceremonies before the determination of anie Assemblie.

4. These that were authorized with commission, and voted *affirmativè*, either had their commissions procured by the bishops, or were the king's pensioners, or gaped for promotion, or had received some benefite, or looked for it, or were wonne at the platt by promise of augmentation of their stipends, or had subscrived other articles in private, or were not weill informed in their judgement, for lacke of full and free reasoning; or were circumvented with promises made to them by the bishops, that they sould not be urged with the practise, if they would consent to make ane act to please the king. Some confessed they consented not *simpliciter*, but to avert the wraith of authoritie; some were threatened with their owne diocesan bishops in private with deposition. Mr William Couper, Bishop of Galloway, upbraidit Mr James Simsone, minister at Toungland, and Mr Thomas Provane, minister at Leswalt, for voting according to the light of their conscience, and the commission given to them by their presbyterie. Manie had voted alreadie in the privie conference. Some voted at two sundrie times, being twise called upon, as if they had not answered the first tyme, some other names interjected betweene.

5. The Assemblie was preoccupyed with sermons, letters, harangues, prepared for the purpose. The necessitie of yeelding was inforced, under noe lesse paines than the wraith of authoritie, imprisonment, exile, deprivation of ministers, utter subversion of the estate and order of this church. Such as by the providence of God had their mouths opened to reasone were checked, quarrelled, rebuked, interrupted, boasted, and for their discouragement it was plainlie professed, that neither the reasoning nor the number of voters sould carie the matter away.

6. Notwithstanding that it was craved, that the articles sould

be offered to voting severallie, becaus some perhapps might vote to one, who wold vote against the rest, yit were all the five offered rather obtrudit to voting at once. Yea, the pretendit moderator said, his Majestie wold not be satisfied except all were granted; and that he that denyed one was to be holden as if he had denyed all.

Seing we have heir made mention of some articles presented to ministers, to be subscrived at their entrie, I have heir sett doun the articles presented by the Bishop of St Androes to Mr Alexander Martine, to be subscribed by him at his entrie:—

"I, A. B[illegible]ow to be admitted to the ministrie of C., faithfullie promises and solemnlie swears by thir presents, to observe and fulfill the articles and conditions following: They are to say,

"1. That I sall be leill and trué to my most gracious the king's Majestie, and his successors, and to my power sall maintaine his Hieness' right and prerogative in causes ecclesiasticall.

"2. That I sall be obedient to my ordinar, the * * and to all superiors in the church, speake of them reverentlie, and in all my private and publict, commend them and their estate to God's mercifull protection.

"3. That I sall in all places, by conference, and where I sall have occasion, in publict preaching, maintaine the present governement of the church, and jurisdiction episcopall; and sall by reading be carefull to inform myself, to the end I may stand for the same, against all the adversaries, opposites to the same.

"4. That I sall be diligent to my power in the dueties of my calling, be resident with my flocke, and not divert therefrom, without the licence of my ordinar.

"5. That I sall studie to advance the state of the church in generall, and particularlie the estate of the church of C., wherunto I am to be received, in all profites and commodities I can.

"6. And, lastlie, that I sall live a peaceable minister in the church, subjecting myself to the orders that therin are, or by consent of the said church sall be (*lawfullie*) established; and by all

meanes that I can use, procure others to the due reverence of the same.

"Which things if I contraveene, (as God forbid,) I am content, upon tryall and cognition taken by my said ordinar, without all acclamation or gainsaying, to be deprived of my ministrie, and be repute and hold a perjured and infamous persone for ever.

"Subscribed with my hand at * * "

The word *lawfullie*, in the sixt article, is not insert in the principall which was to be subscribed, as Mr Alexander Martine, to whom the copie above written was given to be advised with, assured me. There is noe law, civill or ecclesiastick, ordaining anie such articles to be subscribed by the ministers, at their entrie, either to their offices or benefices; and yit, the primate debarreth whom he pleaseth from entrie, unlesse they sweare and subscribe them, and has at this time the subscriptions of manie young men, intrants to the ministrie.

Upon the elleventh of September, Mr Thomas Rosse, sometime a minister, one of the Laird of Craigie's sones, beside St Johnstoun, was execute at the Crosse of Edinburgh. He had beene recommendit by some of the Lords of Secrete Counsell, and some of the bishops, to the king, as a scholler, to be placed in some colledge. Whill he was at Oxford about the time of the Commencements, he sett up theses publictlie upon the cheefe gate of one of the colledges, wherin he offered to defend, that all the Scottish people in England, his Majestie, his children, and some few others excepted, were vyle people, not worthie to be maintained in that countrie: that they wold not faile, if remedie were not provydit, to consume the riches and glorie of England, and wold become to them as the sevin leane kyne in Egypt, which ate the sevin fatt kyne which Pharaoh saw in his dreame. Manie other reproachfull words he used against his own nation. The Vice Chancelour of Oxford sent him unto the king; the king sent him home by sea. When he was examined, and asked what sould have moved him, he answered, Necessitie made devise that, as a meane to

procure some benefite of the king. He confessed at his execution that he was a man of a proud spirit, but thought the punishment greatter than the fault.

Upon the 21st of October, the acts of Perth Assemblie were ratified by the Lords of Secrete Counsell, and the ratification proclaimed at the Mercat Crosse of Edinburgh upon the 26th of October. The tenor wherof followeth :—

"JAMES, by the grace of God, King of Great Brittaine, France, and Irland, Defender of the Faith, &c.—To our lovitts, * * * messingers, sheriffs in that part, conjunctlie and severallie, speciallie constitute, greeting.—Forsameikle as in the Generall Assemblie of the kirk, holden latelie at our burgh of Perth, in the moneth of August last bypast, which was countenanced by the presence and assistance of certane commissioners for us, and of diverse noblemen, barons, and commissioners from the cheefe and principall burrowes of this our kingdome, there were certane godlie and good acts made and sett doun, concerning the glorie of God and governement of his church, agreeable to that decent and comelie order which was observed in the primitive kirk, when the same was in the greatest puritie and perfection; as namelie, an act ordaining, that everie minister sall have the commemoration of the inestimable benefites received from God by and through our Lord and Saviour Jesus Christ his Birth, Passion, Resurrection, Ascension, and sending doun of the Holie Ghost, upon the days appointed for that use; and that they sall make choice of severall and pertinent texts of Scripture, and frame their doctrine and exhortation thereto, and rebuke all superstitious observation and licentious profanation of the said dayes: An act anent the administration of baptisme in privat houses, when the necessitie sall require: An act anent the catechizing of young children of eight yeers of age, and presenting them to the bishop to lay hands upon them, and blesse them, with prayer for increase of their knowledge, and continuance of God's heavenlie graces with them: An act anent the administration and giving of the Holie Communion in private

houses to sicke and infirme persons: An act, that the blessed sacrament of the Holie Communion of the bodie and blood of our Lord and Saviour Jesus Christ be celebrate to the people humblie and reverentlie kneeling upon their knees: An act for restraint of Simonaicall pactions in the entrie of ministers, ordaining that ilk minister sall, before his admission and collation by the ordinar, sweare the oath contained in the said act: An act givand commission to certane persons therin mentioned, to revise the labours of these to whom commission was given in the Assemblie of Aberdeene, for revising the Booke of Commone Prayers, and collecting the canons of church discipline, and as they find the same worthie to be allowed, to take order for approbation and publishing therof: Which acts being seene and considered by us, and we finding that the same has beene verie wiselie, gravelie, and with good deliberation, made and sett doun for the weill of the kirk: Therefore we, out of our true respect to the honour of God, and to have him honoured by all our people, has by our authoritie royall, with the advice of the Lords of our Privie Counsell, ratified, allowed, approven, and confirmed, and by the tenor of this our present act ratifies, allowes, approves, and confirmes the acts particularlie above writtin, in all and sundrie points, clauses, heads, articles, and conditions therof; and ordains the same to have the force and strength of lawes in all time coming, and to have effect and execution in all places of this our kingdome. And in speciall, that there sall be a cessation and abstinence from all kinde of labour and handie-worke upon the five dayes above written, which are appointed to be dedicate to God's service, to the effect our subjects may the better attend the holie exercises which are to be keeped in the kirks at these times.

" Our will is heirfor, and we charge you straitlie and command, that incontinent thir our letters seene, ye pass, and in our name and authoritie make publication heerof, by open proclamation at the Mercate Crosses of the head burrowes of this our realme, and other places needfull, wherethrough none pretend ignorance of the same. And that ye command and charge all our leiges and sub-

jects, that they and everie one of them have a reverend and duetifull respect and regard to the observation of the premisses, and that none of them presume or take upon hand, upon whatsoever colour or pretext, to violate the same in anie point, but to give a due respect and obedience thereto: And that they abstaine from all kinde of labour and handie-worke upon the five dayes particularlie above written. Certefying them that sall doe in the contrarie, that they sall be repute, holden, and esteemed as seditious, factious, and unquyett persons, disturbers of the peace and quyet of the kirk, contemners of our just and royall commandement, and sall be punished therefor in their persons and goods with all rigour and extremitie, to the terrour of others, at the arbitrement of the Lords of our Privie Counsel.

"The which to doe, we committ to you, conjunctlie and severallie, our full power by thir our letters, delivering them by you duelie execute and indorsed againe to the bearer.

"Given under our signet, at Halyrudhouse, the 21st day of October, and of our raigne the 16 and 52 yeers, 1618.

"*Per actum Secreti Consilii.*"

A COMETE SEENE.

About the midst of November, there appeared a prodigious comete in the morning, in the south-east, broade, and streatching with a large taile towards the north-west. It appeared fyne and cleere some few dayes in the beginning, and efter became more dimme and obscure, and vanished away at last in the north. This comete by appearance portendit the warres of Germanie, which begunne not long efter, and continueth yet to this houre.

Mr James Law, pretendit Bishop of Glasco, in his diocesan synods holden at Glasco and Peiblis, urged obedience to the ordinances of Perth Assemblie. But the brethren conveened at Glasco professed plainlie, they wold not acknowledge that Assemblie for a lawfull Assemblie. At the Assemblie at Peiblis, Mr Johne Knox in his sermone, the second day, exhorted the brethren

to stand to the libertie and governement of the kirk established before the erection of the late bishops, and that with teares. Yit Christmas-day approaching, he urged the presbyteries with the observing of that day, as may be seene by this letter following, sent to the Presbyterie of Air:—

"TO HIS REVEREND AND WELBELOVED BRETHREN, THE MODERATOR AND BRETHREN OF THE PRESBYTERIE OF AIR.

"WELBELOVED BRETHREN,—Ye remember how earnestlie I exhorted you at the last synode holden at Glasgo, to give your obedience to the king's Majestie, and the ordinances of the last Generall Assemblie holden at Perth, wherof ye are not ignorant nor forgetfull. The 25th day of December approacheth, upon which day it is ordained, that everie one of you sould preache at least one sermon, of the Nativitie and Incarnation of the Sone of God, our Lord and Saviour Jesus Christ. Or if your people will assemble againe, ye may preache another also. These, therefor, are to intreat you, and if intreatie and requeisting will not move you to doe your duetie willinglie and obedientlie, as becometh good subjects and godlie pastors; then, in his Majestie's name and authoritie, for discharge of my duetie and service, I doe by thir presents command you, all and everie one of you, to make due and lawfull premonition to your parochiners, to assemble and conveene themselfs the said twentie-five day of December nixt to come, at your severall paroche kirks; and there, by publict preaching, prayer, and thanksgiving, to worship God, and praise him for the inestimable benefite of the birth and incarnation of his Sone. Attesting also hereby your owne hearts and consciences, that whatsoever punishment sall be inflicted by his Majestie's authoritie upon anie of you that sall be tryed to disobey, or whatsoever trouble or schisme sall arise in the kirk by your obstinate and inexcusable refusing, all sall be impute justlie to yourselfs, as being refractorie, and well deserving, by your contumacie, to be punished not onlie by his Majestie, but also to be

deposed from your offices and places. I sall be verie sorie and heartilie greeved to see the peace of our kirk troubled, the estate therof endangered, and the unitie which sould be amongst yourselfes devydit; and I sall find myself heavilie persecuted by anie of you who sall be tryed to be either authors or instruments of such great evills. But hoping better of you, and that ye will in holie wisdome and due obedience conforme yourselfs to that which hath so much lawfull authoritie, and will prove so profitable; I commend you to the grace of God, and rests

" Your loving brother,

" J. GLASCO.

" Glasco, penult November 1618."

A little before Christmas, letters were sent to the king from the ministers and Presbyterie of Edinburgh, wherin he assured himself that they wold, according to the acts of the Assemblie, preache upon Christ's Nativitie upon Yule-day. All the ministers of Edinburgh, excepted Mr Johne Hall, consented; but it was thought sufficient that there sould be preaching onlie in two kirks, becaus they doubted of the conveening of the people. The rest of the presbyterie refused. The people of Edinburgh conveened not, as the two pensioners, Mr Patrik Gallowway and Mr William Struthers, expected. The Great Kirk was not halfe filled, notwithstanding the provest, baillies, and counsel's travells. Mr Patrik, a man of a vaine-glorious humour, fretting becaus he was not followed in his corrupt course, and countenanced by the people, denunced judgements that day, and the Sabboth-day following; the famine of the Word, deafnes, blindnes, lamenes, inabilitie to come to the kirk to heare and see, to fall upon these who came not to his Christmas sermon. The dogges were playing in the midst of the flure of the Litle Kirk, for raritie of people, and these were of the meanest sort. Mr Struthers was so displeased, that when he gott a sufficient auditorie upon the fift of Januar, he burst furth with the effects of great pride and bitternes lurking in his heart. Mr William Couper, Bishop of Gal-

loway, preached in the Abbay Kirk. He was so impertinent, and his arguments so frivolous, that the meanest in judgment made a mocke at him. His bodie began to alter soone after, and he was vexed, partlie with strange visions or apprehensions, and partlie with the people that craved satisfaction, which he was not able to give, speciallie to that religious and good Christian, Isobell Speir. His sickness left him not till his death.

M.DC.XIX.

Upon the fyft of Januar, Mr William Struthers, teaching in the Litle Kirk, made so virolent and bitter an invective against the best professours of the toun, and worthiest of the ministrie, that the like had never beene heard out of anie of the pulpits of Edinburgh. What he could not expresse in words, he expressed by his countenance and gesture. Teaching upon Psalme li. ver. 14, he had these speeches:—

"The prophet David did use his tongue to sing joyfullie of the Lord's righteousness: but the people of this toun does abuse their toungs, to the blasphemation of God's name; so that if a man were passing through the streets, it is intolerable to heare the horrible profanation of God's name, in so manie sundrie sorts of oaths. Our part that is of the ministrie is direction, but it is your part that is magistrats to correct. And, therefore, we desire you have a care that this may be taken order with. There is another abuse of the toung among you. It is a common custom of this toun to make a table-talke continuallie of their ministrie; and there is none of you free therof. But we may weill eneugh beare with your speeches of us, seing there is noe order taken with the other. As for myself, I have resolved to be silent in this place of these maters. It is the policie of the devill himself, when he can say nothing against our doctrine, to make men take exception against our persons; for at all times at their tables, meetings, conference and conventions, the subject of your speeche is the minis-

trie, calling us fleshlie, carnall, and corrupt men. Call us what ye please, we teache you the way of salvation truelie; and if we hold up anie thing from you that God has communicate to us, God is our judge. Ye doe not wiselie in this. Ye are like these walking in the way finding thornes therin, which are not thornes indeid, but in the imagination of their owne braine: goes not by them, nor removes them out of the way, but stands still, and goes noe farther. Yea, they goe to the hedge by the way side, and cutt doun breirs and thornes, and cast them in the way, and so makes moe impediments to their owne selfs; for we may see well enough that all that ye seeke is to have your ministers silenced, imprisoned, and banished. Ye are a cruell and pitiles people, seeking to breake the backe of your ministrie. There is enough of that gear alreadie. Howbeit ye abused your former ministers, ye sall not obteane that of us. We are of a more manlie and masculine spirit. We tell you the trueth, if ye will not obey us, your blood be on your owne heads, for we are resolved to obey God, the king, and the kirk; for I am assured, that whosoever they be that has suffered hitherto in these maters, has not suffered in God's caus, but has unnecessarilie drawne doun a crosse on their owne heads. Ye wold have us doe heir as they that were before us in this place, to abuse it with everie clatter; for when anie private man had received injurie in his goods by a courteour, then came he to the minister, and told him that the gospell was persecuted; and incontinent the ministers goe to the pulpits, and makes them sound the trumpet, that Christians were persecuted. They were so abused with your clatters, that they went to the pulpit with them. We will not doe so. What goode came of that, the event proved at the 17th day of December. That day made the kirk smart for it sensyne. I am sorie such things sould be registrate in our chronicle, to our great shame. That was the blott of Edinburgh, and the blott of the Kirk of Scotland. They talke meikle of these days: I know not what they were, for I was a lade at the schoole in these jollie dayes. It is a punishment denunced by Jeremie, that the minister that speckes lyes sould become the

taile. Nay, Christ is the head, we are the toung, ye are the bodie; but ye wold make us the taile. But it sall not be so. We sall be the head, and ye the taile. Ye must receive instruction from us, and not we from you. Yea, we will not onlie desire you, but charge you; for what master among you will be content to receive direction from his servants? We care not for your speaches, for they are but the talke of the taile, and it is not worth the hearing; for if we sould follow the wind of your speaches, we sould saile all the points of the compass in an houre. The ministers of Edinburgh must ather be asses, to beare what burdens the people please to lay upon them, or studies,[1] to hammer upon what they will. As for myself, I am resolved to be a studdie; hammer upon me as ye pleis, I care not. There is some countrie ministers in this toun, and others preaching about, who has stayed here a moneth or thereby. With what consciences they abide from their owne congregations so long, I know not; or what their earand is heir, I cannot tell; for they goe about feasting from house to house, seducing the people; speaking against bishops, and they themselfs are popes, for they have an anabaptisticall spirit, who has not received the keyes of heaven, but has throwen out of Christ's hand the keyes of hell, and sends men thither first by summare excommunication. They wold not be content if we sould come to their flocke, and doe the like, in going about and seducing their people. I wold wishe they sould goe their way, and make us quyte of them in God's name; to goe home, and let us alone."

In his prayer he prayed, "The Lord take out of his Majestie's heart that rancor, for the ruffles he had received of the Kirk of Scotland, and ministrie therof. And, Lord, we pray thee, with the prophet Jeremie, Let us not goe to the people, but bring them to us."

Upon the tenth of Januar, betwixt the prayer and the reading of the text, he had these words following: "I thought it absolutelie necessarie to advertise you of the misconstruction of our last

[1] Stithies, anvils.

Tuisday's sermon. To make an apologie, it were idle; and as for a Palinod, we have not learned the stile of it as yit, for we will disgrace the suggestion of the Spirit of God so. Ye remember the distinction we made of the people of this toun, that there were some godlie, and some profane; for there is noe congregation in the world but has this mixture; for Sodom had Lot, and the sons of Noeh, Cham." But upon Tuysday, the 19th of Januar, he explaned himself in these words: "We were hardlie interprete in our last Tuisday's sermon we made in this place. We meanf not of everie one, but of a handfull of busie-bodies, that could not be content, except they sweyed the whole estate of kirk and commonweill at their will: but we leave them to their humors."

Upon occasion of this invective, Mr Archibald Simsone, minister of Dalkeith, sent to him this letter following, upon the 18th of Januar:—

MR A. SIMSON'S LETTER TO MR W. STRUTHERS.

"BELOVED BROTHER,—Please you, I have beene God's prisoner these manie weeks by infirmitie of bodie; and the receate of a letter from an honourable barone yesterday has addit to my vinacre gall, intituled, 'Certane humane sentences uttered by Mr William Struthers, the fift of Januarie 1619;' which albeit they have beene reported to me by some diverse preachours, yit till I hear your interpretation of them, I darre scarselie beleeve. Can poyson be drawn out of this honie-combe? David, pressed with the guilt of one bloode, yit calls to God to be free from it: and sall you involve you in a guiltiness of so muche bloode of God's Uriahs, warriours, and worthies, who has faughten and died in his cause? If ye were free of blood, then wold your toung speak joyfullie and confortablie; your toung wold strengthen the weake, and uphold these that were readie to fall; ye wold fill up with your oile and your wine the sores and wounds of God's people. Ye wold not be like the last of Job's freinds, whose bellie is like new wyne, and eiks to the speaches of the former, swelling in his owne conceatted knowledge.

"1. Is this God's righteousness, to lay fearefull imputations upon holie preachours, your predecessours, who died honourablie in God, that they abused the pulpits with everie light report?

"2. Is this a joyfull song of God's righteousness, to say, the devill can speake nothing against your doctrine? It seames, he allowes weill of them, against whom he can make no contradiction.

"3. Is it God's righteousness, to cast the blood of the people upon their owne heads, whom Christ has redeemed with his blood?

"4. Is it the song of God's righteousness, to call to mind the seventeenth day of December, and to kendle up the wrath of a gracious prince against obedient and loving subjects; and speake that in the pulpits of Edinburgh which was done when he was a boy at the schoole?

"5. Is it God's righteousness, to sing that the 17th day of December is a blott to Edinburgh, and to the whole Kirk of Scotland, wherof they never knew till it was endit, and noe blood shed in the tumult, nor for the tumult? and yit ye will have it a blott to our kirk, when as such tumultuous spirits invented it, as they who reveils it.

"6. Is it a song of God's righteousness, to call your flocke the taile, and that the talke of the taile is not seemlie to be heard? I think that tale stinks afarre off.

"7. Sing ye God's righteousness, to inveygh against your fellow brethren, the countrie ministers, that they goe from house to house to seduce your people; calling them popes, and of anabaptisticall spirits, pulling keyes out of Christ's hands?

"8. Sing ye God's righteousness, when ye affirme, all that suffered for this caus has drawin doun a crosse on themselves; of whom a great manie are with the Lord, other banished, confyned, silenced, whom I trust ye will not judge, being other men's servants; and their innocence God will cleir against all calumnies, to have beene, and to be, honester men nor their accusers and traducers?

"Brother, resolve me anent the trueth of these reports, and

what is your mind and meaning theranent; for ye have need to be a studie, for the mouths of all are open against this your song. I cannot beleive lightlie of you, that ye are changed so soone. But charitie bids attend upon your answeir; and I trust ye will use me brotherlie, and satisfie me."

Noe answeir was returned to this letter by Mr Struthers. That the reader may take up the humor and disposition of the man, I have thought good in this place to sett doun the fashiouns of the man. At the first, he was so eager an opposite to bishops, that he could scarse give a note upon the chapter after meales, but he wold inveighe against the state of bishops. When his pupill, now Earle of Wigtoun, had stiled one of the bishops, "My Lord," he bade him loose his points, and threatned to whippe him. At a certane time, being in Glasco, when he saw the Bishop of Glasco, now Bishop of St Androes, afarre off, he shunned to meete him, went in to a booth, and fell a swound. After they had given him *aqua vitæ*, and that he had recovered, they asked, what accident had befallen him? He answered, he saw the character of the Beast coming; meaning the bishop. Yit he being ambitious and aspyring, entered in Edinburgh by the bishops, and none become so familiar with them as he; yea, he gott a pension from the king for service done, and to be done, for the advancement and establishment of their estate. When the ceremonies were first motioned he seemed to mislyke them altogether, and subscribed the protestation which sould have beene presented to the last parliament.* But when it came to the practise, he was amongst the first; and was not content to practise for his owne part, but inveighed against the people, because they would not follow his exemple; traduced the worthie servants of God who had preached in these pulpits before; spake contemptiblie of the purer times, wherin the godlie were conforted with a gracious ministrie; upbraidit the toun of Edinburgh with a tumult raised the 17th day of December 1596, wherof the toun could never have been convict, notwithstanding of the exact triall was made, as of anie forethought purpose against the king or his counselours; and

if they had, it was not seemelie to him to have called it to remembrance. There was never a Pharisee heard speake more arrogantlie from time to time, in his sermons and prayers, as these speaches uttered by him at sundrie times may evidence: "As for myself, though all the monarchs of the earth were before me, I wold not be affrayed; yea, though the quintessence of man, his glorie, majestie, power, etc., were all sett before me, I wold not be affrayed." "If men knew the secrete stamps and influences wherwith God seales and bedews ministers, people wold not prease to direct them." "We deliver nothing to you but as God speeketh to us, as we will sie the face of God for evermore." "We see the Lord als cleerelie as I see the light before me; doing his commissions as men seing God, and seing that God seeth them." "We are so taken up from our birth till our buriall day, that there is not an houre's rest left to us." "As sure as ye see me presentlie, als assuredlie is the Lord leaning presentlie upon my shoulder." Seldome does he preach or pray publictlie but he breaketh out in such pharisaicall speeches.

SOME CITIZENS OF EDINBURGH CITED BEFORE THE HIE COMMISSION.

Upon the tenth of Februar, Richard Lawsone, James Cathkine, and Jhone Meane, merchants and burgesses of Edinburgh, and Mr Patrik Henrisone, reader, being summoned, compeered before the Hie Commission. The burgesses were accused for not coming to the kirk on Christmas-day, for opening of their booth doores, walking before them in time of sermoun, disswading others from going to the kirk, and reasoning against preaching upon that day. They answeired, they did nothing of contempt; they reasoned to receive instruction, and to try what warrant others had. They were dismissed, with an admonition, to be modest in their speeches and behaviour in time coming. Mr Patrik was accused for absenting himself from his owne place that day, and placing another in his rowme, to tak up the psalme. An act was made,

that he sould be deposed, if he did the like heerafter; against which act he protested. Mr William Couper, Bishop of Galloway, sent up to the Highe Commission his advice, to make the persons cited exemples to others. His sickenes had not walkenned his conscience. But upon the 16th day of the same moneth, he was called before a higher commission. But the Lords of the Highe Commission thought it not expedient to medle with the professours, speciallie the citizens of Edinburgh, at this time, when they had intention to persecute ministers, as kythed soone efter.

MR W. COUPER'S DEATH.

Upon the 16th of Februar, Mr William Couper, Bishop of Galloway, departed this life in the Canongate. He had never abilitie to goe to the pulpit efter his Christmas sermon. He was a man filled with self-conceate, and impatient of anie contradiction; more vehement in the wrong course than ever he was fervent in the right, wherin he seemed to be fervent enough. He made his residence in the Canongate, neere to the Chappell Royall, wherof he was Deane, and went sometimes but once in two yeers till his diocie. When he went, he behaved himself verie imperiouslie. He abused and upbraidit that reverend preachour, Mr Robert Glendinning, minister of Kirkudbright, for opponing to the exacting of kirk penalties by his commissars, to their proper commoditie, and to the prejudice of the poore. He exceedit all bounds, in abusing that faithfull servant of God, Mr David Pollock, minister of Glenluce, yea, he professed in presence of his fellow brethren that he loved him not. He abused Mr James Simsone, and Mr Thomas Provant, for voting against the Five Articles at Perth. He thrust in upon the paroche of Girtoun, one of the kirks of his bishoprick, an ignorant and unqualified man, Mr Alexander Forsell, the parochiners and all the ministers of the diocie opponing. The man was so ignorant, that he proceedit to the ministration of the sacrament without a blessing, wherby manie of the people absented them from the table, as profaned by him; and yit he caried a grudge at some of the brethren for op-

poning. He desired the Presbyterie of Kirkudbright to grant a dispensation to James Lidderdale of Ila, to deteane in his companie the woman with whom he had lyen in fornication. He sett a tacke of the personage and vicarage of the Abbacie of Glenluce to his brother, Andro Couper, who disponed the right of the tacke to Johne Crawfurd of Skeldoun, sone-in-law to the said bishop. In time of the last platt, he procured the union of some kirks in favours of his friends, as we have alreadie declared in the owne place. It is thought, that if just calculation were made of the commoditie extorted by him through his diocie, by advice of his two covetous counsellours, Andro Couper, his brother, and Johne Gilmour, wrytter in Edinburgh, for his use and theirs, by racting of rents, getting of grassoumes, setting of tacks, of teithes, and other like meanes, wold surmount the soume of an hundreth thousand merks, or, in the opinion of others, almost the double; so that manie within that diocie, and the annexed prelacies, sall hardlie recover their estates in their time. They curse his memoriall, and for his sake, all the new start up bishops, as hurtfull to the countrie, and serving onlie to sucke out the substance of men's estates. He disponed two kirks of the Chappell Royall, Kirkinner and Kirkcowan, to his brother Andro. So the pastors serving the cure were debarred from their stipends, the possessours refusing to make payment, becaus of the said Andro his arrestments. He was not content with the benefices his predecessours had clustered together, till he gott the Deanerie of the Chappell Royall annexed to them, before, or at his entrie. Not long before his departure, he admitted to the ministrie his servant, Mr Scott, in his bed-chalmers, at his bed-side. The bishops gave imposition of hands of new againe, because, said they, it behoved them to cover the infirmities of their brethren. He departed without sense or feeling, and had died sleeping, if by the advice of some phisicians he had not beene walkenned. He wold follow or answer the words of others, and then fall off incontinent from anie spirituall purpose. There had beene a lowde report of his end made, if it had beene gracious and confortable. Upon the 18th of Februar, his corps was caried to the Grayfriers, with sound

of trumpets. The Bishop of St Androes made the funerall sermoun in the Grayfrier Kirk. It was noe wonder to heare one bishope speake to the praise of another.

ARGILE DENOUNCED TRATOUR.

Upon the same day, the 16th of Februar, Archibald Earle of Argile was, with sound of trumpets, and two or three herault of armes, openlie declared tratour and rebell, at the Mercat Crosse of Edinburgh, for not compeering before the Lords of Secreit Counsell. He was summoned upon the 18th of November last, at the Crosse of Edinburgh, by two heraulds of armes, with sound of trumpet, to compeere before the Lords of Secrete Counsel, upon three score dayes wairning, to answeir upon his defection from the true religion, and confederacie with Sir James Makconell, and old Makronald, to the prejudice of religion, and the estate of the countrie. His license, which he had purchassed from the king to pass out of the countrie, and to goe to the well of Spa for his health, as he pretendit, was revoked and annulled. But it was constantlie reported, that he had conference with the king sixe houres, within two or three days before his departure. But he was not long after restored againe.

THE DEATH OF QUEEN ANNE.

Anna, Queene of Great Britaine, after she had lyen long pained with sickness, departed this life on the thrid of Marche. She had appointed great riches to be convoyed to her brother, the King of Denmarke; but when it came to the king and counsel's knowledge, after her departure, the shipp was stayed. It was crediblie reported, that her jewells, gold, silver, plate, and clothing, were worth ten hunder thousand pounds sterline money. The Lords of Secrete Counsel were advertised of her departure upon the 7th of Marche, and commandit to putt on doole weeds, which they and sundrie noblemen did. But there was litle or noe lamentation among the people.

MR RICHARD DICKSON CITED BEFORE THE HIE COMMISSION.

Upon the Lord's day, the seventh of Marche, Mr Richard Dickson ministred the Communion in the West Kirk, beside Edinburgh, according to the laudable and ancient forme of this reformed kirk; exhorted the people to stand to their former libertie; proved that kneeling was not agreeable to the practise of Christ and his apostles. Manie of the inhabitants of Edinburgh repaired to that kirk that day, fearing the Communion wold not be ministred in their owne kirks in that puritie. He was summoned upon the eleventh of Marche, not without the instigation of the ministers of Edinburgh, to compeere before the Hie Commission upon the 12th of Marche. The tenour of the summones heer followeth:—

"JOHNE, by the mercie of God, Archbishop of St Androes, Primate and Metropolitane of Scotland; JAMES, Archbishop of Glasco: to our lovite, Gabriel Forrest, messinger, executor heerof, conjunctlie and severallie, speciallie constitute, greeting.—Forsameikle as it is humblie meanit and shawin to us by our lovit, Mr Patrik Forrest, our procurator-fiscall, that wheras in the Acts of Generall Assemblie holden at Aberdeene, the * * * day of * * * * yeers, it was concludit, that the Communion and Lord's Supper sould be ministrate and celebrate yeerlie at the feast of Pasche, and that ilk minister sould distribute to his parochiners conveened for the time with his owne hand; and last, in the Generall Assemblie holden at Perth, the 25th day of August last bypast, the haill Assemblie conveened for the time, considering that we are commandit by God himself, that when we come to worship him we fall doun, and kneell before the Lord our Maker: And considering withall, that there is noe part of divine worship more heavenlie and spirituall than is the holie receiving of the blessed bodie of Jesus Christ our Lord and Saviour, like as the most humble and reverend gesture of the bodie, in our meditation, and lifting up of our hearts, becometh well so divine and sacred an

action: Therefore, notwithstanding our kirk had used, since the reformation of religion heer, to celebrate the holie Communion to the people sitting, by reason of the great abuse of kneeling in the idolatrous worship of the Papists; yit now, since all memorie of past superstition is blotted out of the hearts of the people, (praised be God,) in reverence of God, and in due regard of so divine a mysterie, and in remembrance of so mysticall an unfon as we are made partakers of thereby, therefore the Assemblie concludit and thought good, that that blessed sacrament be celebrate heerafter to the people, humblie and reverentlie kneeling upon their knees; as the said Acts of Generall Assemblie, intimate by open proclamations ratified by our soveraigne lord, in themselfs at length beares. Notwithstanding of the which acts, Mr William Arthure and Mr Richard Dicksone, ministers at the West Kirk of Edinburgh, called St Cuthbert's Kirk, has prevented the said feast of Pasche; and upon Sunday last, which was the seventh of Marche instant, has celebrate the Communion within their kirk to the people sitting; has not distribute the elements with their owne hands, as is prescribed by the Acts of Generall Assemblie, with the people to receive the same kneeling upon their knees. As to the contrarie, the said Mr Richard Dicksone, in an exhortation made by him to the people sitting at table, inhibite and forbade them to kneele, and declared, that that conclusion of the Generall Assemblie, which has been practised by the most learned and godliest sort of people within this kingdome, was in the self superstitious and damnable, and inclined for the most part to idolatrie: And as he discharged them to kneele, appearandlie, if anie of the communicants present, for satisfaction of their owne consciences, and obedience of the act, had kneeled, he had charged them to rise up, and receave the same sitting, or els had dimitted them: Which this his exhortation he made publictlie and idlie, seeing there was noe appearance of anie kneeling; to the great contempt of God, by whom we are commandit to kneele and fall doun, whensoever we come to worship him; to the contempt of his Majestie, and of the conclusions of the Generall Assemblie, practised by the most

learned and godlie men; and giving an evill preparative to others to commit the like: Which, if the like be committed, will bring a great division, schisme, mutinie, and plaine disobedience to his Majestie's kirk and their lawes: And, therefore, the said Mr William and Mr Richard sould be seveirlie censured, and punished therefor.

"Heirfor, we charge you straitlie and command, that incontinent efter the sight of this our precept, ye pass, and lawfullie summone, wairne, and charge the said Mr William Arthure and Mr Richard Dickson to compeere before us and our officialls, commissioners appointed by his Majestie's commission at Edinburgh, in the Bishope of St Androes his house, at eight houres in the morning, to answere at the instance of the said Mr Patrik Forrest: That is to say, the forsaids persons to heare and see the accusation forsaid verified and proven against them, and ilk ane of them; and the same being verified and proven against them, to heare and see them deprived of all function of the ministrie, and to be censured by all kind of censure, that we, by vertue of his Majestie's Hie Commission, may impose upon them. Certifying them, that if they compeere not the saids day and place, they being lawfullie summoned thereto, we will decerne in maner forsaid, and raise letters of horning, to be direct for denuncing of them rebells for their contumacie and non-compeerance.

"Attour, that ye lawfullie summone, warne, and charge * * * * to compeere the saids day and place in the houre of caus, to beare leill and soothfast witnessing in the said mater, in sua farre as they know, or sall be speared at them, ilk person under the paine of fortie punds. The which to doe, etc., by this our precept, etc.

"Given under our seale, at Edinburgh, the 10th day of Marche, 1619."

MR RICHARD DICKSON DEPRIVED.

Mr Richard compeered, and without anie long processe was

deprived, and ordained to enter his person in waird within the Castle of Dumbartane. Mr William Arthure was commandit to superceed farther celebration of the Communion till Easter, and then to celebrate to the people kneeling. He superceedit, but celebrated after the old maner. There satt in the Hie Commission that day the Bishops of St Androes, Brechine, Rosse, Mr William Oliphant, the king's Advocate, and Mr Thomas Henrisone, Commissar.

COLLUSION BETWEENE SPOTTISWODE AND SOME OFFICERS OF ESTATE.

Upon the Lord's Day, the 14th of Marche, the Bishop of St Androes preached in the Great Kirk of Edinburgh, before noone, where the chancelour, the president, and other noblemen, were present. He threatned all estates, from the highest to the lowest, with the king's wrath and authoritie; which he had not done with the boldness and libertie he used, if there had not beene collusion betwixt him and some officers of estate, that the people hearing him speake with suche authoritie to the officers of estate and noble men, might tremble and give obedience to the acts of Perth Assemblie, without a whisper in the contrare. He exhorted the counselours and magistrates not onlie to give good exemple of obedience to the people, but also to compell them to obey.

The king sent doun a command to the officers of estate, the Lords of Secrete Counsell and Session, and the advocats, to take the Communion in the Great Kirk of Edinburgh kneeling, upon Easter day nixt to come, under paine of the losse of their office. He sent a command likeways to the magistrats of Edinburgh to communicate kneeling.

A MEETING OF THE CITIZENS OF EDINBURGH BEFORE THE COMMUNION.

Upon Tuisday, the 23d of Marche, there was a meeting of the

honest citizens of Edinburgh in the Litle Kirk, according to the use and custome they have had since the Reformation. The custome was, to conveene with their pastors upon the Tuesday before the first Communion-day. If anie thing was amisse in the lifes, doctrine, or anie part of the office of their pastors, everie man had libertie to shew wherin they were offendit; and if anie thing was found amisse, the pastors promised to amend it. If they had anie thing likewise to object against the congregation, it was likewise heard, and amendement was promised. If there was anie variance amongst neighbours, paines were taken to make reconciliation, that so both pastors and people might communicate in love at the banket of love. When the foure ministers were removed, sundrie complaints were given in against them, speciallie against Mr Patrik Galloway and Mr William Struthers, for their invectives against their flocke. They were called in. It was layde to their charge, that they did intimate preaching upon holie dayes, without advice of their session; that they never informed the people of the lawfulness of the observation of festivall dayes, and yet made bitter invectives against them. They were so farre from acknowledging anie wrong, that they refused anie wayes to be controlled, or give the people a reason for their satisfaction. It was demandit, how could they celebrate the Communion with kneeling, not having first informed the people of the lawfulness of it? They could make noe other answeir, but that it was concludit by the Assemblie. It was replyed, that it behoved them to have a better warrant to their conscience nor the conclusions of that Assemblie. They had beene taught the contrare threescore yeers bygone: wold they have them now to answeir without better information? But noe sufficient answeir was given. William Bigge urged the exemple of Christ and his Apostles, who satt at the table. Mr Patrik Galloway denyed that Christ satt anie maner of way. Mr Andrew Ramsay granted that some way: Mr William Struthers mocked, and with his gesture counterfitted the maner of Christ's sitting. William Bigge urged Christ's precept, "Divyde it amongst you," which excludeth kneeling, and proved it to be meant of the Com-

munion cuppe. Mr William Struthers and Mr Thomas Sydserfe jeasted; Mr Patrik Galloway assured them, he sould send up the storie of that meeting to the king. Mr Andro Ramsay, moderator of the meeting, at the desire of the other three, interrupted them, and wold not suffer them to speake, and utter their minde fullie. The misbehaviour of the pastors, and their frivolous answeirs, confirmed the people in their former resolution, and the meeting dissolved with great malcontentment.

MR JOHNE HALL LEAVETH EDINBURGH.

Mr Johne Hall wold neither preache nor give the Communion, being resolved not to stay. He craved to be dismissed of his ministrie with the king's favour, in respect of his age and infirmitie of bodie, which was granted. Yit was he not so infirme, but he might have continued in teaching, for there was noe sensible decay found in his gift. The trueth is, he wold not offend the king by not conforming, for feare of lossing his pension, and on the other side, he laboured to retaine some credite among the godlie. He brooked the pension indeid, but the better sort of the people interpreted this forsaking of his station, efter he had helped to sett the kill afire, to proceede onlie of love of ease, laisiness, and feare to losse some part of his reputation, when his gift sould begin to faile. So he left his ministrie in Edinburgh, never craving the people's consent.

THE MINISTERS OF EDINBURGH URGE SERVICE AT THE TABLES.

The foure ministers of Edinburgh continue in their resolution to celebrate the Communion conforme to the act of Perth, notwithstanding of the malcontentment of the people. The session being conveened upon the twentie-fift of Marche, Mr William Struthers, moderator, biddeth the elders and deacons wait on at the doores the nixt Sabboth, for gathering of tickets, and to serve at the tables. Johne Meine answered, "Moderator, I heard by your

owne speache the last day, that ye were to give the Communion to persons behaving themselfs five sundrie wayes: that is confusion: God is not the author of confusion, but of order; therefore I will not be there, nor be a witness to it." Mr William Struthers said, "If ye count yourself unworthie to come, bide away: call ye the order of God's kirk confusion?" "Yes, Sir," said the other, "I call it confusion, for it is not according to Christ's institution." "Ye are over peart to call it confusion," said Mr Struthers; "ye are but an ignorant, and not worthie to brooke anie place heer." "I thank God," said the other, "ye count me worthie to be casten out of this place." Mr Patrik Galloway sayeth to him, "Ye are one of them that raises up this tumult." "Call me what ye please," said Johne Meine, "I must abide it." "What will ye say," said Mr Patrik, "if I prove kneeling out of the Scripture? heard ye me the last day?" "Yes, Sir," said Johne Meine, "and thought ye proved nothing. If ye will yit prove kneeling at the Communion out of the Scripture, I sall be content to goe with you. Ye alledgit the nyntie-fift Psalme, which was sixtein hundreth yeer before the institution." "May it not content you," said Mr Galloway, "which contents the Kirk of Scotland, for the Assemblie has concludit it?" "Sir, that is a point of Papistrie," said Johne Meine, "to beleeve as the kirk beleeves. The prophet Habbacuc sayeth, 'The just man sall live by his faith.'" "What will ye say to this, Sir?" said Mr Galloway; "the kirk has concludit it, and the king and the Secrete Counsel has confirmed it." Johne Meine smyling answered, "Sir, ye were wont to say to us longsyne, 'Thus sayeth the Lord,' but now ye change, and say, 'Thus sayeth the king and the kirk.'" Mr Struthers beatting upon the boord in furie, sayeth, "What, Sir! I command you silence; I am moderator heir." Johne Meine, directing his speache first to the elders and deacons, sayeth, "Our pastors, who sould be our teachers, are become our boasters:" and turning him to Mr Struthers, he sayeth, "I spake not till I was called: if I had not beene called, I wold have spoken little." Mr Struthers in great passion uttered sundrie speaches to the elders and deacons. "What

is this?" sayeth he; "they sitt heir, and call maters confusion." "There was never one of you," said Johne Meine, "taught us out of the pulpit concerning these things." "What, Sir! ye disdaine to heire us," said Mr Struthers; "ye count us heretieks." The other answered, "Sir, I think there is not one in Edinburgh will say, I contemne hearing, except ye now." Mr Galloway said, "There is nothing altered in substance, but onlie in rituall things." "All that is inclosed in the institution is substantiall to me; I know noe rituall thing in it," said Johne Meine. They called on the rest, to see if anie other wold bide away, and commandit to warne the old elders and deacons to supplie the rowmes of the absents, for sundrie of the deacons were at the saile.

THE COMMUNION CELEBRATE IN EDINBURGH AFTER THE POPISHE FORME.

The Communion was to be celebrate upon Easter day, the 28th of Marche. To allure manie to come to the kirk, the ministers of Edinburgh offered them libertie to sitt, stand, or kneele, as they pleased, and dealt with some in particulare; but few was moved with the offer. The inhabitants of the toun went out at the ports in hundreths and thousands, to the nixt adjacent kirks. These who did communicate either kneeled not, or, if they kneeled, were of the poorer sort, who lived upon the contribution, and kneeled more for aw nor for devotion; or were members of the Secrete Counsel, or of the Colledge of Justice. Some were deceaved with the offer of the ministers, for when they came, the ministers used all the meanes they could to caus them kneele. Some were dashed and kneeled, but with shedding of teares for greefe. Cold and graceless were the Communions, and few were the communicants. The chancelour, the president, and other Lords of Secrete Counsell and Session, except Sir George Areskine, Lord Innerteill, and Sir James Skeene of Currihill, and sundrie advocats, communicate in the Great Kirk. Sir William Nisbitt, Provest of Edinburgh, absented himself, resolved not to communicate kneeling. Mr

Patrik, after sermone, inveighed against those that scarred at the Communion, for kneeling in the act of receiving the sacramentall elements. Mr Patrik, after he had given thankes, and blessed the bread, and his collegue, Mr Andro Ramsay, satt doun on their knees: first, he received himself, and then he delivered to Mr Andro. Therafter, Mr Patrik delivered the breade to the communicants, and Mr Andro followed with the wine. Mr Patrik challenged some persons for not meaning to kneele, but a sillie handmaid stopped his mouth. There were fewer communicants in the Colledge Kirk, yit the most part kneeled not. The Communion was celebrate this same day in the Abbay Kirk, the West Kirk, and in the kirk on the north side of the bridge of Leith, efter the old forme, wherunto the inhabitants of Edinburgh resorted in great numbers. Yit was there great confusion and disorder in manie kirks, by reason of the late innovation. In some kirks, the people went out, and left the minister alone: in some, when the minister wold have them to kneele, the ignorant and simple sort cryed out, "The danger, if anie be, light upon your owne soule, and not upon ours." Some, when they could not gett the Sacrament sitting, departed, and besought God to be judge betweene them and the minister. It is not to be past over in silence, how that when Johne Lauder, minister at Cockburnspeth, was reaching the breade till one kneeling, a black dogge start up, to snatche it out of his hand.

EARLES MADE.

Upon the penult of Marche, Balcleughe was made Earle, the Vicount of Diriltoun was made Earle of Kellie, and President Hammiltoun Earle of Melrose, noe doubt for the good service he had done in advancing the state of bishops, and course of conformitie.

CONTENTION IN THE SESSION OF EDINBURGH.

The session of the kirk of Edinburgh being conveened upon the first of Aprile, the baillie, Alexander Clerk, complained that he was forced, through the absence of the deacons, to caus other honest men serve at the tables. Mr Patrik Galloway said, it was not sufferable that they sould sitt in that place, and be disobedient to the session: they will have teachers, everie man according to his owne humour. One answered, "Nay, Sir, there is none heir that will be disobedient." "Yes," said Mr Galloway, "Johne Meine heir." Jhone Meine answeired, "Sir, I shew my reasons the last day." "Man, ye will be an Anabaptist," said Mr Galloway, in a threatning and disdainfull maner. "I hope in God to keepe myself als long from being an Anabaptist as your self," said Jhone Meine. "What! are ye comparing your self to an old father of the kirk?" said Mr Sydserfe. "He sould not rule as a lord over his brethren," said Johne Meine. "What say ye? will ye say that we are lords over you?" said Mr Sydserf. "Yes, Sir," said Johne Meine; "what will ye call it, if this be not a lordlie governement, to command us in this maner?" "Sir, ye must goe to Flanders," said Mr Galloway. "Is not that tyrannie?" said Jhone Meine. "What! say ye there is tyrannie heir?" said Mr Sydserfe. "Yes, Sir," said Jhone Meine; "I pray you give it another name, if it be not tyrannie to a kirkman to take upon him to banishe men, and send them to Flanders." Jhone Byris, bailyie, father-in-law to Mr Sydserfe, start upon his feete, and said to Jhone Meine, "Ye are farre in the wrong; ye may hold your toung verie weill." Mr Patrik Galloway sayeth to Johne Meine, "Ye must not sitt heir in this place; if ye will not obey us, ye must be putt out." "I will not be displaced," said he, "by noe particular man. Let them putt me out that putt me in heir, and I sall not cummer you: as for anie particulare man, I will not acknowledge their discharge."

The nixt session day, which was the 3d of Aprile, Alexander

Clerk renewed the former complaint, that there was none to serve at the tables in the Old Kirk, till they sent doun to the Colledge Kirk for some of their number to helpe. Jhone Inglis, merchant and skinner, answeired, "Ye know they were ay readie before, but this novation is the occasion of men's unwillingnes now. Men cannot serve contrarie to their mynd." Mr Struthers said, "Johne, we thought somthing of you before, and now we know what is in you." Then Bartle Fleaming said, "Think ye men will serve contrare to their conscience?" Mr Struthers said, "Barthole, we thought somthing of you before; now we count nothing of you. Barthole, hold your peace: when ye are stillest ye are wysest." Then said Jhone Meine, "This is a strange thing: ye will have us to serve whether it be reasone or not." "Sir, lett us alone," said Mr Galloway; "I suffered eneugh of you last day. I say to thee, man, thou art a verie Anabaptist." Mr Struthers said, "What, Sir! know ye the office of a deacone? I will examine you presentlie:" and with that he turneth him to him. "Yes, Sir, I trow I know somthing," answeired Johne Meine. "What is it?" said Mr Struthers. "It is to gather the poore folks silver, and to distribute it againe," answeired Johne Meine. "What more?" said Mr Struthers. "To serve the tables," answeired Johne Meine. "What is the caus ye doe it not then?" said Mr Struthers. "Becaus," said the other, "ye have left Christ's institution; for ye will be wiser than Christ, in setting doun a better forme of your owne." Mr Struthers cryed out, "O horrible blasphemie! O horrible blasphemie!" Mr Thomas Sydserfe sayes, "If ye sould serve, wherfor have ye left us?" Jhone Meine answeired, "We left you not till ye left the trueth." "What!" sayes Mr Thomas, "call ye us apostates? I think ye sould be compelled to make it goode. Ye may als weill take us to the Mercate Crosse and choppe our fleshe and bones together, like meate for the pott, as to persecute us this way with your tounges, calling us apostats, and saying we have left the trueth." "Aggredge it as ye please," answeired Johne Meine. "Know ye," said Mr Struthers, speaking in a proude and loftie countenance, "the Sixt of the Acts, what the word

Deacon means? Know you the Greek word—and againe, know you the Greeke word? I say, man, ye are our servants;" and then scorning, he said, "We know nothing: we must goe doun to Johne Meine his booth, and buy books, and get a lesson from him and Jhone Logan. They will learne us what we sall doe." Barthole Fleaming rose up to speike. Mr Struthers said to him, "Have ye redd the Sixt of the Acts? Ye sould serve at the tables. Ye think yourselfs verie wise: wold to God we had als meikle wisdome amongst us all foure, as everie one of you thinks ye have." Barthole taketh out a New Testament out of his pocket, and sought the words: then he said, "We served ay before till ye came in and tooke our place over our heads, and wold serve yourselfs." In the meane time, the ministers were ever commanding silence. Mr Patrik Galloway taketh up the roll of the names of the elders and deacons, which was lying upon the boord, saying, "I sall keepe this: the king's Majestie sall be informed: there cannot be a king in the countrie if this be suffered." Then Mr Patrik Henrisone, clerk, craved the roll to call the names, that they might know who wold serve, and who wold refuse. Mr Galloway answeired, "Ye sall not gett this: I sall keepe it: the king sall be informed." Yit he delivered the roll, and badd the clerk call the names, "that we may see who will refuse;" and caused marke the names of the refusers.

When Jhone Meine was called, in a great rage he cryed thrise, "Put him up there! put him up there! put him up there!" Johne Meine answeired, "We know now who are our persecutors;" yit they were so movèd, that none heard him, except those who were not speaking themselfs. Then Alexander Clerk, baillie, said, "Hold your tounge; there is too much spoken; I command you silence, Sir." Jhone Meine answeired, "Ye may not command me silence in this place." "What say ye, Sir?" said the baillie; and with that start up on his feete, and said, "I command you silence." "Ye may not command me silence in this place," answeired Johne Meine. "What say ye, Sir?" said Alexander Clerk; "may not I command you silence? I command you

silence." Jhone Meine answeired, "Sir, ye may not lawfullie command me silence in this place: ye are but a sessioner heir, Sir, ye may not raigne over us." "What say ye, Sir?" said Alexander Clerk; "I sall let you witt I am more than a sessioner; ye are but a verie false knave." Efter a little advisment, he said, "Ye are but a gouke, Sir; I sall fasten your feete, Sir." Johne Meine answeired, "I can beare all that, Sir, and all that ye can doe to me, and more too, Sir; but I will not hold my toung so long as they (meaning the ministers) speake to me." "My joy, Johne, hold your toung," said Alexander Clerk. So endit that session.

DIOCESAN SYNODS.

The Bishope of St Androes held a diocesan synode in Fyfe, upon the 6th of Aprile, at St Androes. Because of the report that came from court, that the king was sore vexed with the gutt and the gravell, and in danger of his life, he keeped a calme course beyond all expectation, and endit the assemblie with one session. But efter, when he understood the king was convalescing, he threatned the ministers of the kirks neere adjacent to Edinburgh, at a synode holden in Edinburgh, with banishment to the New Found Lands, and losse of their stipends; and tooke journey to court foure dayes efter. The Bishope of Glasco, in his diocesan synode holden at Glasco, tooke up the names of these that had not conformed.

MR A. DUNCAN AND MR THOMAS HOGGE SUMMONED BEFORE THE HIE COMMISSION.

Mr Andro Duncane, minister at Caraile, and Mr Thomas Hogge, minister at Dysert, were summoned to compeer before the Hie Commission in St Androes the 13th of Aprile.

A SUMMARE DECLARATION OF THE PROCEEDINGS OF MR JOHNE SPOTTISWODE, ARCHBISHOPE OF ST ANDROES, IN THE HIE COMMISSION, AGAINST MR THOMAS HOGGE, MINISTER OF CHRIST'S EVANGELL AT DYSERT, THE YEIR OF GOD 1619, IN THE MONETH OF APRILE.

The occasion upon the which the said Mr Thomas was troublit by the said archbishope since the date forsaid, unto this present yeir of God 1627, was taken by an observation or note, uttered publictlie in the kirk of Dysert by the said Mr Thomas, in his ordinarie course of exercise with the brethren of the presbyterie of Kirkcaldie, who had conveened in Dysert that day.

The text of the exercise began at the 13th verse of the first chapter of the 2d Epistle to Timothie, in these words, "Keepe the true paterne of the wholsome words which thou hast heard of me, in faith and love, which is in Jesus Christ."

The said Mr Thomas, speaking upon these words, in the second place of the exercise observed, that the doctrine delivered by God's servants to his people sould be conforme and agrieable to that paterne which God has given in his Word; even as Moses was wairned by God, when he was about to finishe the tabernacle, that he sould make all things according to the paterne shewed to him in the mount, Exod. xxv. 40; Heb. viii. 5.

In the application of this observation, the said Mr Thomas directlie and plainlie impugned the Five Articles which had been concludit at Perth, the yeir preceiding, as swerving altogether from that true paterne of wholsome doctrine which the apostle so carfullie recommendit to Timothie.

The argument alledgit by the said Mr Thomas against these articles was this: That wholsome doctrine, the true paterne wherof the apostle recommends to Timothie, is summarlie comprehendit by the apostle in two points; namelie, in the doctrine of faith, and doctrine of love. But so it is, that the forsaids articles swerves from both these points: therfore, they swerve from the paterne.

The proposition is manifest by the expresse words of the text. The assumption was proven efter this maner. First, they swerve from the doctrine of faith, becaus they want the warrant of the Word of God, which is the onlie sure foundation, and infallible rule of true faith.

Secondlie, The forsaids articles swerves from the doctrine of love, by reasone that by them a fearfull shisme had entered in the Kirk of Scotland. Preachours were sett against preachours and professors, and professors were sett against professours and preachours, so that the unitie of the kirk was rent, and the peace therof disturbed.

This is brieflie the summe of the said Mr Thomas his exception, taken against these articles at that time; to the which he subjoyned a deploration of the miserable estate of preachours and professours, who had so readilie received a strange paterne of humane traditions; with ane exhortation to the brethren, to resent the calamitie of the Kirk of Scotland, and to provyde speedie remedie against the same, as they wold be answeirable to the Lord, their Maister, who had called them to be office-bearers in his kirk. When the doctrine was censured by the forsaid brethren, Mr Johne Mitchelsone, minister at Bruntiland, now Doctor of Divinitie, being moderator of the presbyterie, was greeved at the said Mr Thomas his doctrine, but medled not with the argument to try the strength of it.

Within few dayes therefter, the fornamed Archbishope of St Androes being informed of this doctrine, caused summone the said Mr Thomas to compeer before him and his assessours, in the Hie Commission in St Androes, the 13th day of Aprile, being Tuysday, the yeir of God forsaid, to answeir to them for his doctrine delivered against the forsaid articles; with certification if he compeered not, he sould be denunced rebell.

The which day, the said Mr Thomas compeired before the archbishope and his assessours in the Hie Commission, as namlie, Mr Johne Weyms of Craigtoun, then Commissar of St Androes, efterward Lord of Craigtoun, Mr Alexander Glaidstanes, Archdeane of

St Androes, and Doctor Howie, Principall of the New Colledge, with certane others, satt within the kirk of St Androes, in the session-house therof.

The said Mr Thomas being called, and the summounes redd by Martine Blak, clerk, the forsaid archbishope spake to the said Mr Thomas in substance and effect as followes:—

"Mr Thomas, ye are summoned to compeer before us, to answeir for your doctrine delivered before the brethrein of the exercise of Kirkcaldie, against the articles concludit at Perth." Mr Thomas answeired, that he was not holden to answeir to that judicatorie for his doctrine, but declined it *simpliciter*, as incompetent to him: and protested, that whatsoever he spake before them sould be takin as spoken under that declinatour, to the end that his compeirance before them sould neither be prejudiciall to himself, nor to the libertie of the Kirk of Scotland. The archbishope replyed, "Mr Thomas, take heid to your self; for in declyning the king's authoritie, ye perill your craige. Remember what befell to your brethren at Linlithgow, who were so long wairdit in the Blacknesse. They were condemned to die for their declinatour." Mr Thomas answeired, that he wold by the grace of Christ adhere to his declinatour, whatsoever sould insue therupon; and protested, that he declined not the king's authoritie *simpliciter*, in declyning that judicatorie, by reason that he was content to be judged for his doctrine in a lawfull Generall Assemblie, which is a judicatour authorized by the king, with consent of the estats of the countrey, conforme to the acts of parliament made theranent, which acts were not then abrogated. Therfore, the said Mr Thomas alledgit, that seing he submitted himself to the forsaid judicatorie, which was authorized by the king in maner forsaid, they could not justlie impute treasone to him, in declining the authoritie of the Highe Commission, which were manifest sophistication, *a dicto secundum quid, ad dictum simpliciter*, as logicians termes it. And it is an ordinar thing in the kingdome of Scotland to the king's leiges, without ane derogation to the king's authoritie, upon lawfull exceptions to decline judicatories autho-

rized by the king, and to use advocation. The archbishope replyed, "There is one sort of you of the ministrie, that speaks frielie before the people, as ye please; but when ye are required to give account of your doctrine, ye refuse to doe it." Mr Thomas answeired, that he was readie to render the reasons of his doctrine before competent judges, being neither ashamed nor affrayed to maintaine the same.

The archbishope then demandit, if the said Mr Thomas had spoken publictlie against the forsaids articles of Perth? Mr Thomas answeired, that he had indeid spoken publictlie before the brethren of the presbyterie of Kirkcaldie against these articles. The archbishope demandit againe, what the said Mr Thomas had spoken against the forsaid articles? Mr Thomas answeired, that he had not compeered before them to accuse himself; and alledgit that it had been their part to have lybelled his speeches, seing they presumed to be judges of his doctrine: and the said Mr Thomas protested against the informalitie of the processe, alledging that (givand and not grantand they were competent judges to him) yit they could not lawfullie deduce a processe against him upon the summounes, by reasone that the summounes were conceaved in generall termes, and noe particulars were specified in the summounes, which in effect were *super inquirendis*, to the which he was not answeirable by the lawes of the kingdome. The archbishope said, "Will ye not confesse, then, what ye have spoken against the forsaid articles?" Mr Thomas answeired, he wold not deny his doctrine, if it were truelie rehearsed to him; otherwayes, he wold not confesse it to the archbishope and his assessours, seing they intendit to trouble him for the same, and he wold be loath to procure trouble to himself without necessitie.

The archbishope said, "Mr Thomas, it cannot content you to declame vehementlie in your sermons against the estate and course of bishops, but also ye pray ordinarlie efter sermon against bishops, as belligods and hirlings." Mr Thomas answeired, that he prayed ordinarlie against belligods and hirlings in the ministrie, by the warrant of God's Word; and alledgit that his prayer was

conforme to the commone prayer conteaned in the Booke of Discipline, which was published for the use of the Kirk of Scotland. The archbishope replyed, that the prayer conteaned in the Booke of Discipline made noe expresse mention of belligods, but of hirlings onlie. Mr Thomas answeired, that albeit in the prayer alledgit there was noe expresse mention made of belligods, yit the hirlings mentioned in that prayer were belligods, by reason that they who laboured for hire onlie laboured for their bellies allanerlie, and, consequentlie, their bellies were their God. The archbishope replyed, "When ye pray against belligods and hirlings, the people applyes that prayer to us that are bishops." Mr Thomas answeired, that he could not be answeirable for the people's application of his prayers, saying, that if the people had failed to bishops, he had noe reason to trouble him for the alledgit offence of the people. Then the archbishope in great indignation said, "In short space that Booke of Discipline sall be discharged; and ministers sall be tyed to sett prayers, and sall not be suffered to conceive prayers as they please themselfs." Therefter, the archbishope demandit of the said Mr Thomas, if he wold take time to be advised whether he wold conforme to the saids articles or noe? Mr Thomas answeired, that he wold have noe time, and that he was resolved anent these articles; affirming with Cyprian, that "*In causa tam justa, non opus esset deliberatione.*" Then the said Mr Thomas was removed, and being called, the archbishope warned the said Mr Thomas *apud acta*, to compeer before him and his assessors in Edinburgh, the 22d day of Aprile.

This is the summe of the said Mr Thomas his first dyet of compeirance before the said archbishope and his assessours in St Androes the yeir and day forsaids. Follows

THE NARRATION OF THE SECOND COMPEIRANCE OF THE SAID MR THOMAS, BEFORE THE FORSAID ARCHBISHOPE AND HIS ASSESSORS, IN EDINBURGH, THE 22D OF APRILE, THE YEIR OF GOD FORSAID.

The which day, being Thursday, the forsaid archbishope and his assessors, namlie, Mr James Law, Archbishope of Glasco, Mr Andro Lamb, then Bishope of Brechine, the Bishope of Argile, as the said Mr Thomas was informed, Mr Adam Bannatyne, Bishope of Dumblane, Doctor Bruce, Principall of St Leonard's Colledge in St Androes, Doctor Lindsay, then minister at Dundie, and Mr Johne Mitchelsone, minister at Bruntisland, now Doctor of Divinitie, were conveened in the Archbishope of St Androes his lodging, and satt in the hall therof, in the Hie Commission.

The said Mr Thomas being called and compeirand, the clerk, Mr Edward Marshall, redd the minutes of the processe, which had been begun at St Androes. Efter the reading of the saids minutes, the Archbishope of St Androes verie passionatlie brake furth into these speaches, directing them to his assessours:—

"Ye sie, that I had this man before me alreadie in St Androes. I have dealt with him in time past both by promises and threatnings, but in vaine, for he will not be perswadit to conforme. Heirfor I have keeped him under processe, which was continued unto this day. This man is one of the great adversaries to our course that is in the ministrie of the Kirk of Scotland; for in pulpit, he inveighes and prayes against us ordinarlie, and in his private conferences he declaimes bitterlie against us. And where ever he is at table, he taks occasion to dispute and reasone against our estate, as unlawfull, and pernicious to the estate of Christ's kirk, and so perverts simple persons that are unlearned. This man, in his note to the Exercise, compared kneeling in the act of receiving the Sacrament of the Supper unto the bowing of the knee to Baal; and he compared the Kirk of Scotland to that man that was woundit betuixt Jerusalem and Jericho, of whom mention is made

in the Gospell; in the which comparison, he made us that are bishops to be robbers, and murtherers of the Kirk of Scotland; and he compared the wise and modest brethren of the ministrie, who are peaceable men, to the preist and Levite that passed by that woundit man, and supported him not, becaus these brethren inveighes not against our estate and course, as he himself uses to doe. And he compared preachours and professours of his owne humour unto the Samaritane. Yea, albeit that I dealt verie gentlie with him at St Androes, in his last compeirance, yit he came not to me efter that I had risen from the Hie Commission. And so soone as he returned to the pulpit of Dysert, being the Fryday therefter, he fell in upon our estate, and inveighed against it with noe lesse vehemencie than he had used in tyme past. And since he came heir to Edinburgh at this time, he reasoned at table against kneeling in the act of receiving the Sacrament of the Supper, affirming that it was idolatrie."

Mr Thomas answeired, that he had been litle obliged to the archbishop's gentle dealing wherof he had bragged, seing the archbishope had drawin him from his charge, and had put him to paines, in causing him travell to St Androes, the weather being stormie, and the way being deepe. As to the archbishop's alledgances, Mr Thomas answeired, that he had indeid alludit to the historie of Elijah, in his note to the Exercise, and had said, that notwithstanding the Kirk of Scotland had made a fearfull apostasie and defection from the puritie of the profession of the Word, yit God, of his great mercie, had reserved to himself his owne seven thousand, who had not bowed their knee to Baal. As to the comparison taken from the man that was woundit betuixt Jerusalem and Jericho, Mr Thomas confessed that he had used that comparison, and alledgit that (givand not grantand, that the said archbishope and his assessours were competent judges to him), yit he was not holden to answeir for these speeches at that time, nor for anie other speeches delivered by him either publictlie or privatlie, by reasone they were not libelled against him in the summonnes. And [he] protested that no processe sould be ledd against him that

day, but conforme to the libelled summones, to the which he was holden onlie to answeir, albeit they had been competent judges to him; alledging, that they behoved to libell against him *de novo*, if they intendit to trouble him for anie thing which was not conteaned in the libelled summones. The archbishope replyed, "We will lybell noe new summones, but will presentlie proceed against you; mend ye yourself the best way ye can." Mr Thomas answeired, that he looked for noe other thing at their hands but violence; and the said Mr Thomas excepted against Mr Johne Mitchelsone forsaid, as his delatour to the Archbishope of St Androes, and desired that the said Mr Johne might be removed furth of the Hie Commission.

Upon this exception the forsaids assessors caused the said Mr Johne to remove himself, which was done, against the Bishope of St Androes his will. But the said Mr Johne went noe farther nor to the Archbishope of St Androes his chamber, which was at the end of the table about the which the commissioners satt, and was called by them to the interlocutour; for when the said Mr Thomas had beene removed and called againe, he saw the said Mr Johne sitting at table with them. And perceiving their proceedings to be informall, violent, and confused, esteemed it neidles to take new exception against the said Mr Johne, havand at his entrie before them decliined that judicatorie *simpliciter*.

Then the Archbishope of St Androes spake to the said Mr Thomas in this maner: "Ye have taken exceptions against us all, speciallie against me, and Mr Johne Mitchelsone, alledging that I am incensed against you, and that Mr Johne Mitchelsone has delated you. For my owne part, I protest that I have noe malice in my heart against you; and in testimonie therof, I am conteht to pas from all that ye have spoken against us hitherto, and it sall be reputed as not spoken, providing that ye will not speake against our course heirefter. If ye will not medle with us, we sall not medle with you; and becaus ye are meanlie provydit in Dysert heir, I will promise before my assessors, to provide you to the first vacant place in my diocie that ye can sett your eyes upon; and my as-

sessours sall be witnesses against me, if I faile in performing of my promise made to you." Mr Thomas answeired, that the archbishope's practises were repugnant to his protestation, seing that he was not singulare in his judgment anent the estate and course of bishops. But there were manie pastors in the said archbishop's diocie who had spoken als meikle (if not more) against the Articles of Perth as the said Mr Thomas had done, and yit had not beene conveened before the Hie Commission. And wheras the archbishope had required him not to medle with the estate and course of bishops, the said Mr Thomas answeired, that as God had called him to be a preachour of his Word, so, in preaching, he behoved to follow the direction of the Word, and not the injunctions of men. And declared that he was content to keepe his place in Dysert, notwithstanding that he was insufficientlie provydit, and that he wold not redeeme a greatter provision, at so highe a price as was the lossing of the libertie of his conscience; and so besought the Archbishope of St Androes to doe him noe harme, professing that he looked for none of the archbishope his goode. Then said the archbishope to his assessors, "This man wold be licentiate to preache as he pleases. It will profite us nothing to spend more time with him; let us proceede to the sentence."

Heir Mr James Law, Archbishope of Glasco, required at the Archbishope of St Androes, and of the rest of the assessors, that they wold suffer him to conferre with the said Mr Thomas apart. This being granted, the Archbishope of Glasco and the said Mr Thomas went apart to the Archbishope of St Androes his chamber. And first, the said archbishope protested, that he favoured the said Mr Thomas. Nixt, he advised the said Mr Thomas to accept of the forsaid conditions, which the Archbishope of St Androes had proponed so amplie in the Commission; and the said Archbishope of Glasco promised, that he and the rest of the assessours sould deale instantlie with the Archbishope of St Androes, that the promises made to the said Mr. Thomas, which are above rehearsed, might be performed. In the end, the Archbishope of Glasco assured the said Mr Thomas that otherwise he wold be troubled,

becaus he perceaved that the Archbishope of St Androes and his assessors were fullie resolved theranent. Mr Thomas answeiring to the Archbishope of Glasco, exhorted to kyth his favour in deed and action, according to the doctrine of the Apostle Johne, as he had protested by word, that he favoured the said Mr Thomas. Nixt, Mr Thomas answeired, that he had been called by God to the holie ministrie, to serve Christ, and not please men. Thridlie, the said Mr Thomas answeired, that if the Archbishope of St Androes and his assessors were resolved to trouble him, that he had resolved by the grace of God to suffer patientlie, and that he had his Judge in heaven, before whom they behooved to answeir, havand a hier commission than that was which they had receaved from a mortall man heir on earth. Then the Archbishope of Glasco, in returning to the Hie Commission, said to Mr Thomas, "It is long to that day, and ye must suffer in the meane time." When the Archbishope of Glasco and the said Mr Thomas had returned to the Hie Commission, the Archbishope of Glasco reported the summe of the conference. The Archbishope of St Androes said, "I knew that ye wold not prevaile with him: let us give out sentence."

The said Mr Thomas being removed and called, the fornamed clerk redd the sentence, which was, that they had suspendit the said Mr Thomas from his ministrie; and had ordained him to goe to Orkney within the space of fourtie days immediatlie therefter, to be confyned there during the king's pleasure and will.

The sentence being pronounced, the said Mr Thomas by word appealed therfrom, as a sentence unjust and unlawfull, unto the judgment of a lawfull Generall Assemblie, by reason that the particulares upon the which they had given sentence against the said Mr Thomas had neither been lybelled in the summones, nor confessed, speciallie by the said Mr Thomas; neither had they been proven against him, but alledgit allanerlie by the Archbishope of St Androes.

Unto this appellation the said Mr Thomas subjoyned this protestation immediatlie:—

"Heir I protest before the living God, that I am willing and readie to imploy that talent which the Lord Jesus has committed to me, for the ædifying of his kirk. If ye impede and hinder me in the imployment therof, the Lord Jesus require it from you at that great day of his glorious and fearfull appeirance, and not from me."

This protestation being made, the Archbishope of St Androes and his assessors satt silent, and spake nothing. Then Doctour Lindsay, now Bishope of Brechine, tooke the speeche, and wold shoote his blunt bolt. The doctour's speeche in substance was this: "Mr Thomas, I have heard you all this time ye have beene before us, and as yit have spoken nothing to you. Now, with the Archbishope of St Androes, and the rest of his assessors' licence, I will tell you a historie, which is this: Latlie, two men mett together, who had communicated efter diverse formes, the one sitting, the other kneeling. He who had communicated kneeling, demandit of the other who had communicated sitting, if he had communicated with an uncovered head. He answeired, 'Yes.' 'Why then,' said the other, 'wold ye not communicate kneeling?'"

This historie being endit, Mr Thomas demandit of the doctor, what he inferred upon it. The doctor said, "This I inferre; it is lawfull to communicate capping, or with an uncovered head; therfore it is lawfull to communicate kneeling." Mr Thomas denyed the consequence. The doctor replyed, that he wold prove the consequence, by reason that capping and kneeling were both outward gestures of reverence. Mr Thomas denyed that religious kneeling was ane outward gesture of reverence onlie, and still denyed the consequence. Then the doctor required Mr Thomas to get a reasone why he denyed the consequence. Mr Thomas answeired, that he was not holden to gett a reason, becaus that by the rules of reasoning, "*Affirmanti incumbit probatio.*" Yit seing the doctor had succumbit in his probation, Mr Thomas said, that of his owne frie will he wold render a reasone, namlie this: "Capping and kneeling," said Mr Thomas, "are *diversæ species gestus;* therfore, that which is attribute to the one is not alwayes competent to the

other." The doctor replyed, "They are not *diversæ species gestus, sed individua ejusdem speciei.*" Mr Thomas answeired, that the doctor's assertion was absurd, and was confuted by commone sense. "*Tua geminatio,*" said Mr Thomas to the doctor, "is *individuum;* therfore *geminatio* cannot be *individuum,* seing it is attribute both to your geniculation, which, *individuum,* and to the geniculation of others that kneels with you, which cannot be denyed to be *individua.*"

Heir the doctor left the argument, and the Archbishope of Glasco spake, saying, "Mr Thomas, it is long since I learned my logicks, and thir manie yeirs I have not been versed in these quiddities and subtilities. As if I were speaking like a commone professour that were noe scholler, I require you to shew me plainlie and sensiblie a reasone, why kneeling ought not to be used in the act of receiving the Sacrament of the Supper, as weill as capping." Mr Thomas said, "The reason is easie to them that are desirous to understand the trueth, and are not of a prejudgit opinion; namlie, capping in religious exercises is an outward gesture of veneration or reverence onlie; and, therfore, when capping is used in the act of receiving the Sacrament of the Supper, noe exception can justlie be taken against it: for what professour darre deny, that reverence is due to the celebration of the Sacrament of the Supper? But kneeling in religious exercises is a gesture of adoration or divine worshipe, which is proper to God allanerlie. Heirfore, exception is justlie against kneeling in the act of receaving the Sacrament of the Supper, by reason, that as the honour of God is incommunicable, so religious kneeling, which is the gesture of divine worship, is not to be used in the act of receiving the Sacrament of the Supper; for that were a parting of God's honour, betuixt God himself and the sacramentall elements." The Archbishope of Glasco, without anie more speache, said to Mr Thomas, "Now I understand your meaning."

Heir endit the secund and last dyet of the said Mr Thomas his compeirance before the Hie Commissions.

Therefter, the Archbishope of St Androes caused summone the

said Mr Thomas, to compeir before him in his diocesan synode holden in St Androes, to heare and sie himself deprived of his ministrie, for his obstinate rejecting of the Articles of Perth.

Mr Thomas knowing that the said archbishope proceides in his diocesan synods as he pleases, and that he wold not be declyned exempting himself from all ecclesiasticall censure, the said Mr Thomas compeired not before that diocesan synode. Therfore the archbishope deprived the said Mr Thomas in that diocesan synode, upon the first citation, contrare to the canons and practicks of ecclesiastick discipline, in all reformed kirks in anie age.

Afterward, the said archbishope caused denunce the said Mr Thomas to the horne, becaus he had not gone to Orknay, to be confined there, conforme to the sentence of the Hie Commission; but the horning was not registrate.

For the more verification of the premisses, the said Mr Thomas Hogge, minister of Christ's Evangell, has subscrived them with his own hand.

At Dysert, the 12th of Januar, 1627.

Mr THOMAS HOGGE, Minister of Christ's Evangell.

Mr Andro Duncane, minister at Caraile, compeered likwayes at the first dyet; declined, and at the second dyet stoode to his former declinatour. The Hie Commission proceedit to the sentence of deposition, and ordained him to enter in waird in Dundie. Efter the sentence was pronunced, he gave in this admonition or protestation following in writt:—

MR ANDRO DUNCAN'S ADMONITION TO THE HIE COMMISSION.

"Now, seing I have done nothing in this busines wherof I have been accused by you and detracted against, but has been serving Christ Jesus, my Maister, in rebuking vyce: And thus in simplicitie and uprightnes of heart I protest (seing ye have done me this wrong) for a remeid, at God the righteous Judge his hands, to whom vengeance belongs, and who will repay; and summones you

before his dreadfull judgment-seate, to be censured and punished for such unrighteous dealing, at such time as His majestie sall think expedient: And in the meane time, declines this your judgment *simpliciter* now, as of before, and appeals to the ordinare assemblie of the kirk, for the reasons before produced in writt. Pitie your selfs for the Lord's sake; losse not your deare soules, (deare indeid to Christ, and sould be deare to your selfs;) losse them not, I beseeche you, for Esau his pottage. Remember Balaam, who was casten away by the deceate of the wages of unrighteousnes, and forget not how miserablie Judas lost himselfe for ever, for a trifle of money that never did him good. Fy on backe and bellie that destroys the soule! Better be pyned to deid by hunger, nor for a litle peltrie of the earth to perishe for ever, and never to be recovered, so long as the days of heaven sall last and the years of eternitie sall indure. 'Sould ye be burriores of your brethren, the sones and servants of the Lord Jesus? This doing is not the doing of the sheipheards of the flock of Christ Jesus. If ye will not regard your soule nor conscience, looke, I beseeche you, to your fame. Why will ye be miserable both in this life and the life to come?"

When the Bishope of St Anúroes had redd some few lines of this admonition, he cast it from him; and Mr Adam Bannatine, Bishope of Dumblane, redd it, and said, that he had called them Esaus, and Balaams, and Judasses. "Not," said Mr Andro; "reade againe: I bade you bewar that ye doe not like them." Alwayes there was noe mitigation could be had.

NOE PREACHING ON THE SABBOTH DAY EFTERNOONE IN THE LITTLE KIRK.

The contention betuixt the ministrie and the people of Edinburgh continuing, there was noe teaching in the *Little Kirk*, where Mr Struthers taught, upon the Sabboth dayes efternoone, the nynt, sixteenth, twentie-thrid, and threttie days of *May*. Wherupon the elders complained to the ministers and magistrats, upon the thret-

teenth, the sixteenth, and the twentie of May; but noe answeir was given till the twentie of May. Then Mr Patrik Galloway said, "We are so lightlied and disdained, revyled and spoken of, that we can doe nothing; not onlie by the commoner sort, but also by these that governe and rule others. Yea, and in this place, in our face, we have been upbraidit and called apostats, and never one of you answeired a word, but the baillie, Alexander Clerk. That companion that stands there, (putting out his hand to Johne Meine,) took witnes, when his bairne was baptised, that he was not an Anabaptist; but I will prove him an Anabaptist. He is disobedient to the king's Majestie; he does not acknowledge the kirk, and is disobedient to us heir." Building upon these slight reasons, he concludit, they were not to yeeld to anie thing the session desired them to doe concerning teaching, becaus they were so contemned. There was noe reply made to him.

QUEENE ANNE BURIED.

Upon the thretteinth of May, Anna, Queene of Great Britaine, was buried at Westminster with great pompe.

MR HENRIE BLYTH AND MR DAVID FORRESTER TROUBLED FOR THE MINISTRATION AT THE COMMUNION.

The Bishope of St Androes being at court, a command was sent doun from the king to Mr James Law, Bishope of Glasco, to caus cite Mr Henrie Blyth, minister of the Canongate, and Mr David Forrester, minister of the north side of the bridge of Leith, before the Hie Commission, to depose them from their ministrie, and to confine Mr Henrie Blyth in Innernesse. Mr Henrie Blyth meaned their case to the presbyterie of Edinburgh, and indirectlie touched the ministers of Edinburgh as the instruments of their trouble. The ministers of Edinburgh desired him to be plaine. He answeired, "We are surlie informed, that the ministers of Edinburgh have complained by letter to the king of the people, becaus

they wold not kneele at the receiving of the sacrament; but went to other kirks, and received it sitting as before. Therfore his Majestie has thought goode to remove us from our ministrie, who ministred the sacrament efter that maner. So your complaint is the occasion of our trouble." Mr Struthers answeired, they could doe noe lesse than they did, seing they were more persecuted by the calumnies and misbehaviour of the people than anie ministers of Scotland. "I wold intreate you to have sure warrant for you, before ye resolve to suffer." Manie speeches past concerning the Assemblie of Perth, and the indifferencie of things that were urged, which were all denyed. The Bishope of Glasco being earnestlie solicited, wrott up to the king for a delay, till the two ministers above named were dealt with at more leasure. He was not willing to medle with them, not so much for anie respect he caried to them, as becaus they were not within his diocie or province, and he wold not seeme to be a depute to the Bishope of St Androes; for he used the ministers of his own diocie otherwise. Farther, the two ministers abovenamed were not eager opposites to the course of Episcopacie, but gave way to it, and were familiar enough with the bishops. But the ministers of Edinburgh could not suffer anie neighbour minister beside them, that ministred the Communion according to the institution and laudable practise of our kirk; nay, not so farre, as the inhabitants travelled abroade to seeke the Communion where it was ministred in puritie. Always they were spaired all the moneth of June, till answeir returned from the king.

Upon the second of June, persons of whatsoever degrie were charged, by proclamation at the Crosse of Edinburgh, to give obedience to the Five Articles, and were discharged to wryte, scatter abroade, or reid anie libells, pamphlets, or books, sett out against the Assemblie of Perth, or against ministers obedient to the acts of the said Assemblie, under the paines to be called before the Justice, and punished without favour. In the proclamation, the king reputed the opponers to the conclusions of the forsaid Assemblie, enemies to God and to him. It appeareth that the

king was informed, that some books were brought hither. The bookes intituled "Perth Assemblie" were brought hither in Aprile, and were landit in Bruntiland. It pleased God, that howbeit Mr Johne Mitchelsone was inquisitive to know what bookes were in the fatt, the customer wold not suffer him to medle with them. When they were brought from Burntiland to Leith, the Bishop of St Androes coming immediatlie efter, saw the fattes, but tooke no notice of them, becaus they were lying in the shore, among other fattes brought out of France, conteaning Frenche waires. The books were keeped closse, till the present suspicion vanished.

THE MINISTERS OF EDINBURGH DELATORS OF THEIR FLOCKES.

Upon Thursday, the elleventh of June, a letter sent from the king was delivered about the evening to the Provest, Baillies, and Counsel of Edinburgh, wherin he rebuked them sharplie for suffering the inhabitants of the toun, speciallie some seditious persons, to speak unreverentlie of him and their ministers; willed them to cleere themselfs of their owne disobedience, and to wryte up the names of such persons as had contemned their ministers, and called them apostats, for their obedience to his service, that they might be punished according to the lawes. The day efter, the counsel conveened in the Litle Kirk, sent for Mr Struthers, Mr Ramsay, and Mr Sydserfe. Mr Galloway was absent. After the king's letter was redd, the ministers were asked if they had sent anie such hard information to the king, or understoode who had sent it? They denyed stifflie, and seemed ignorant; and yit it was true that they had sent a letter subscrived with their hands, wherin they assured the king that he might gett als great vantage now of the toun of Edinburgh as he had at the 17th day of December. Mr Andro Ramsay offered to let them sie the letter which they sent up; but the rest of the ministers were not content. They protested they were sorrowfull that maters were come to such a height, but gave not the counsel contentment. The provest desired them to give up the names of such as had upbraidit them. They refused, yit in

their letters to court, they singled out such as pleased them. The counsel resolved to send Mr Johne Hay, toun-clerk, a man that had great credite with the Bishop of St Androes, and had kneeled himself, to informe the king. It was thought he might weill doe something for the magistrats, and the bodie of the toun. But if he did noe worse, at least he wold leave everie particular man against whom the king, bishops, or ministers, had exception, to beare his owne burden. But worse was suspected, becaus he did what in him lay to maintaine the corruptions of the time.

SEARCHING OF HOUSES FOR BOOKS.

The same day efternoone, Sir Andro Ker, appearand of Fairniherst, Captane of the Guard, efter the king's letter was redd in the counsel, was directed immediatlie to search Andro Hart, James Cathkine, and Richard Lawsone, booksellers, their booths and houses, for all writts, books, and pamphlets, as it pleased them to call them, sett out against Perth Assemblie, which was spredd in the beginning of June. So the captaine searched their booths and their houses, but found neither them nor the author, Mr David Calderwode, as was intendit; for the author was in the meane time lurking in Cranstoun, in a secrete chamber appointed for him by my Ladie Dame Sara Cranstoun, who was manie wayes steadable to him. He removed from place to place as the Lord had provydit for him, till the 27th of August, that he embarked at Newheaven, and sailed to Holland. In the meane time, that James Cathkine's house was searched, he himself was keeped in strait waird in the Goathouse at London. He went to persue his lawfull trade and vocation. Before his departure, he was advertised of his trouble, by one who had learned so much of Gilbert Dick, Mr Patrik Galloway's great familiar. He had no sooner landit, but he was apprehendit, and presented before the king, and tryed by questions furnished by the ministers of Edinburgh, Mr Patrik Galloway speciallie. His verie publict speeches uttered upon the Tuisday before the last Communion were sett doun in writt, and he

examined upon them. But the Lord assisting him, he professed his judgement plainlie, and purged himself of other calumnies. The Bishop of St Androes assured him that by that time his house was searched, and if anie of these bookes above named were found in his house, it wold goe hard with him. But the Lord had provydit otherwise; for when his house was searched, howbeit there was five or six Perth Assemblies lying above the bed-cloths where Mr David had wont to ly, they were not perceived. After James Cathkine had suffered hard intertainement awhyle in the Goat-house, and they were disappointed of their purpose in searching of his house, the Bishop of St Androes procured his libertie, that he might be the more acceptable himself to the people, at his owne returne from court.

SIR JAMES SKEENE SUMMONED BEFORE THE COUNSEL.

About this same time, a warrant was sent from the king, to warne Sir James Skeene, one of the Lords of the Session, before the Lords of Secrete Counsel, to heare and sie himself deprived, for not communicating kneeling at Easter. He compeered the 22d of June. After protestation of his affection to the king and his service, he purged himself of contempt of the king's proclamation, and alledgit he was examining witnesses at the direction of the lords, in time of the preparation sermon. The lords accepted his excuse, and wrote to the king in his favours. Some ascribed his not conforming, not to conscience, but to the dissuasions of his mother-in-law, and her daughter, a religious gentlewoman.

Upon the 23d of June, a new warrant or command [came] from the king, to search suche citizens' houses in Edinburgh as were suspect to have anie of Perth Assemblies.

Upon the 29th of June was brought a new commission from the king, or the Hie Commission renewed in ampler forme. Advocations and suspensions, granted to such as were in processe before the bishops and ministers, were the pretendit occasion of renewing the Commission. But the true intent was, to force

ministers and other professors to practise the Five Articles, and to establish the tyrannous usurpation of bishops; for since bishops were advanced by the king, the Lords of Counsel and Session advocated noe causes ecclesiasticall from ecclesiasticall judicatories, for feare of offending the king, but referred usuallie to the bishops, and left ministers in speciall to their rigour. The tenor of the renewed Commission heere followeth:—

THE HIE COMMISSION RENEWED.

"Our Soveraigne Lord ordaines a Letter of Commission to be past under his Hieness' great seale of the kingdome of Scotland, bearand, that forsameikle as it has beene complained by the archbishops, bishops, and other ministers of that his Majestie's kingdome, that advocations and suspensions are frequentlie granted by the Lords of Counsel and Session to suche as be in processe before them and their ecclesiasticall courts, for offences committed, whereby offenders are imboldened to continue in their wickedness, using the said advocations and suspensions as meanes to delay their tryall and punishement: Therefore, that noe such subterfuge be left unto impious and wicked men, his Majestie, as being supreme governour over all persons and causes, both civill and ecclesiasticall, within his Hieness' dominions, nixt, and immediatlie under Christ, to have given, granted, and committed, like as by the tenour heirof his Majestie gives, grants, and commits full power and commission to the Right Reverend Fathers in God, his trustie and weill-beloved counselours, Johne Archbishop of St Androes, Primate of Scotland, and James Archbishop of Glasco; to his Hieness' right trustie cousines and counselours, Alexander Earle of Dumfermline, chancelour, Johne Earle of Marre, Treasurer, George Earle of Marishall, Johne Earle of Montrose, and Thomas Earle of Melrose, his Majestie's Secretarie of Scotland; to the Right Reverend Fathers in God, Alexander Bishop of Dunkeld, Patrik Bishop of Aberdeene, Alexander Bishop of Murrey, Andro Bishop of Galloway, Patrik Bishop of

Rosse, David Bishop of Brechine, Adam Bishop of Dumblane, Johne Bishop of Caithness, Andro Bishop of Argile, and George Bishop of Orkney: To his Hieness trustie counselours, William Lord Sanquhare, Arthure Lord Forbess, James Lord Ochiltrie, Sir Richard Cockburne, Lord Privie Seale, Sir George Hay, Clerk of Register, Sir William Olyphant, Advocate, Sir Gedeon Murrey, Treasurer-Depute, Sir Andro Ker, Captaine of his Majestie's Guard, and Sir William Livingstoun of Kilsyth, Knight: And to his welbeloved Sir Johne Learmonth of Balcolmie, Peter Bruce, Deane of the Chapter of St Androes, Mr James Hammiltoun, Deane of the Chapter of Glasco, Doctor Alexander Glaidstaines, Archdeane of St Androes, Doctor Thodore Hay, Archdeane of Glasco, Mr David Sharpe, Chantour of Glasco, Doctor Henrie Philip, minister at Aberbrothe, Doctor Robert Howie, Provest of the New Colledge of St Androes, Doctor James Blair, Professor of Divinitie in the said colledge, Doctor William Forbese, minister at Aberdeene, Doctor Johne Strange, minister at Erroll, Doctor Archibald Hammiltoun, minister at Pasley, Masters Patrik Galloway, Andro Ramsay, and William Struthers, ministers at Edinburgh, Mr Johne Strachane, persone at Kincardine, Mr Johne Guthrie, minister at Perth, Mr Coline Campbell, minister at Dundie, Mr Johne Bell, minister at Glasco, Mr Andro Moncrieffe, minister at Abernethie, Mr Walter Whytfoord, person of Moffet, Mr James Logane, persone of Ettlestoun, Mr Andro Drummond, minister at Panbroyde, Mr Johne Ogilvie, minister at Aitkincoldroun, Mr Johne Makcorne, minister at Straitoun, Mr David Cunninghame, minister at * * * Mr Johne Weymes, Commissar of St Androes, Mr Thomas Henrisone, Commissar of Edinburgh, and Mr James Hammiltoun, Commissar of Glasco, or anie five of them, the Archbishops of St Androes and Glasco, or anie one of them, being of the number of five always: And summone and call before them at the times and places they sall thinke most convenient, all persons dwelling within the kingdome of Scotland, and within the provinces of St Androes and Glasco, that are offenders in doctrine, life, or religion, or anie of these holden to

be scandalous, and speciallie the intercommuners and resetters of Jesuits, Seminarie and Masse preists, hearers of masse, and excommunicate Papists, recusants or not-communicants, incestuous and adulterous persons, all obstinate contemners of the discipline of the kirk, and persons excommunicate for the samme: To take triall of the fornamed offences, and as they sall find anie person guiltie or impenitent, to give direction to the minister of the paroche where he dwells to proceede with excommunication against him: And if the minister obey not the said command, to censure him by suspension, deprivation, or wairding, as they think meete. And farther, to fine, imprison, or waird anie such persons as they find guiltie of the saids crimes, or that sall be contumacious, and refuse compeirance when they sall be charged. With power likwise to the said commissioners to summone and call before them all ministers, preachours, doctours, or masters of schooles, colledges, and universities, and all exhorting and lecturing readers within the bounds forsaid, that sall be delated to them, for preaching and speaking in publict against the present established order of the kirk, or estate, or against anie of the conclusions of the bypast Generall Assemblies of the kirk; speciallie of the acts of the Generall Assemblie holden at Perth in the moneth of August 1618 yeirs; and all disobeyers of the said acts. Likwise, writers of pamphlets in the contrarie of anie of the constitutions of the kirk, and printers of the saids books and pamphlets, or of anie other books without his Majestie's licence, and warrant of such as his Majestie has authorised with the granting of licence in such causes. And whomsoever that efter triall sall be found guiltie of anie of the premisses, to punishe them by suspension, deprivation, fyning, wairding, and imprisoning, as they sall find the qualitie of the offence to deserve. As also, with power to them to receive and discusse all appellations made to them from anie inferior ecclesiasticall judges: And to inhibite the saids ecclesiasticall judges to proceede in anie mater which they sall hold to be improper for them, or wherin they sall perceive the said judges to have behaved themselfs partiallie, advo-

cating the saids maters to their owne judgment: And commanding the captane and leivtenant of his Majestie's guard, the provest and baillies of the burghes where the saids commissioners sall happen to sitt, shereffs and baillies of regalities, to searche, take, and apprehend all such offenders, and to present them to the saids commissioners, upon a warrant subscribed by anie fyve of them, (one of the saids archbishops being always of the number.) And charging the captaines and constables of his Majestie's wairds and castles, jaylers, and keepers of prisons in burghe or land, to receive and detaine all persons directed to them in such forme, as by the said warrant sall be prescribed, as they will answeir to the contrarie at their perill. Requiring also the Lords of his Majestie's Privie Counsell, upon the sight of a certificate subscryved by anie five of the saids commissioners, (one of the saids archbishops being always one,) either of fyne imposed upon anie partie; or upon their refusing to compeir before the saids commissioners, to direct a summarie charge of horning upon ten dayes, for payment of the fynes that sall be imposed upon them. And to direct others letters for denuncing of persons that sall refuse to compeer before the saids commissioners, of the which letters, noe suspension or relaxation sall be granted, without a testimonie under one of the archbishops' hands, of the partie's obedience and satisfaction. And with power to the saids commissioners to choose clerks, procutor-fiscalls, and other members of court; and to direct precepts, in name of the said archbishops and their associats, for citation of anie partie before them, in anie of the causes abovenamed; which precepts sall be sealed with a speciall seale, conteaning the armes of the saids archbishops. And with power to summone witnesses in anie of the saids causes, under the paine of fourtie punds money of the realme of Scotland. And if the witnesses refuse to compeir, the saids Lords of Counsell sall direct charges for payment of the penalties they sall incurre, upon certificate of the saids commissioners, of all such fynes as sall be imposed, the one halfe to perteine to his Majestie, and his Hienes' treasurer, and the other halfe to be bestowed upon such necessarie charges as the

saids commissioners sall be forced to: And the superplus therof to be bestowed at the sight of the saids commissioners *ad pios usus*. And generallie, all and sundrie other things whatsomever to doe, which they sall think to be convenient for his Majestie's service, and according to the intent of the said commission. Attour, his Majestie, by the tenor heirof, discharges the Lords of his Hienes' Privie Counsel and Session, of all advocation from all ecclesiasticall judicatories of anie maters of the qualitie abovewritten. But that they reserve the triall and answeir, and obey the saids commissioners, or anie five of them, (one of the saids archbishops being one,) their officers and ministers, in all and sundrie things concerning the premisses, under all hiest paine and charge that efter may follow.

"Given at our mannour of Greenwiche, the 15th of June, and of our raignes of England, France, and Irland, the sevinteinth, and of Scotland the fiftie-two. Subscrived by the king's owne hand.

(*Sic subscribitur*) "AL. CANCELL. MARRE.
"MELROSE. GEORGE HAY."

MR HENRIE BLYTH AND MR DAVID FORRESTER SUSPENDIT AND CONFINED.

The Bishope of Glasco being threatned by the king in outward shew, (as bishops have beene some times before at their owne procurment,) for delaying the execution of the sentence against Mr Henrie Blyth and Mr David Forrester, held a court of Hie Commission upon the 2d of Julie, assisted with the Bishops of Rosse, Galloway, Dunkeld, the Earle of Melrose, president, the treasurer-depute, the clerk of register. They were accused of contempt of his Hienes' authoritie interponed to the acts of Perth Assemblie, of disobedience to the said acts; and speciallie, for giving the Communion without kneeling, and entysing the people of Edinburgh to leave their own kirks, and come to theirs. They answeired, they had the lawes and acts of parliament for the maner

of their celebration, and the practise of the kirk these fiftie yeers bygone; and that there was noe act of parliament, nor yit of anie Generall Assemblie, noe, not of the Assemblie holden at Perth, inhibiting or discharging the former practise. And as for the people of Edinburgh, they notised none of them. Noe sufficient reply was made to them by the Lords of the Hie Commission; yit were they suspendit from their ministrie during the king's pleasour, and were commandit to enter to their severall wards within ten dayes, Mr Henrie Blyth to Innernesse, and Mr David Forrester to Aberdeene. Sundrie of the commissioners protested, the sentence was pronunced against their hearts; but they could not helpe them, becaus it was the king's will. So saying, they both blamed the king and themselfs.

MR JOHNE HAY'S REPORT FROM COURT.

Within two or thrie dayes efter, Mr Johne Hay, toun-clerk, returned to Edinburgh, and reported that the king wold not tak anie evill conceate of the people of Edinburgh, howsoever he was hardlie informed of them; but wold beare with them a whyle, till they were better informed. That he gave in defences for the toun, which the king wold have in writt, and subscribed by him. That if the defences were true, the king confessed the toun was greatlie abused, but said he wold send doun his direction with the Bishope of St Androes. The bishope followed about the midst of Julie, but went over to St Androes incontinent.

A CHARGE FOR DELIVERIE OF FORBIDDEN BOOKS.

Upon the 16th of Julie, all that had anie of the infamous books sett out against the proceedings of Perth Assemblie, and his Majestie's authoritie interponed therto, were charged, by proclamation at the Crosse of Edinburgh, to deliver them to the clerk of Secrete Counsel, betuixt and the twentie-sixe day of the said moneth, that the said books may be used as his Majestie had directed; with cer-

tification, if they failed, they sould be persued. His Majestie's direction was, to burne them at the Crosse of Edinburgh; but few or none were delivered.

MR JOHNE WEEMS MADE A SENATOR OF THE COLLEDGE OF JUSTICE.

Efter the departure of Sir Alexander Drummond of Meidope, one of the Senators of the Colledge of Justice, Mr Johne Weyms, Commissar of St Androes, recommendit by the Bishope of St Androes to the king, gott the presentation to the vacant place, and the Lords of Session purposing to recommend another to the king, were disappointed. They resolved to send up to the king before he be admitted, but they were prevented. The presentation was sent home, and he was admitted, and satt doun among the rest, the 27th of Julie. This man was franke for the episcopall course, which was a sufficient commendation or qualification to King James. This new senator had not long before stollen a booke out of James Cathkine's boothe.

THE MAGISTRATS OF EDINBURGH AND THE MINISTERS RECONCILED.

The controversie betuixt the toun of Edinburgh and their ministers was debaitted at this time before the Bishope of St Androes, and the president, Secretarie Hamiltoun, as his Majestie's commissioners appointed to that effect. These that were for the toun desired that it might be decidit, whither they were guiltie of these things which was layde to their charge by his Majestie, through the information of their ministers, or not. The two commissioners desired the mater to be referred to them. These for the toun refused, unlesse the ministers wold confesse they had done the toun a wrong, or lett them sie the copie of that letter they sent up to the king. The ministers made manie excuses, wherfor they might not produce the copie of the letter, and alledgit that it was not pertinent to the toun to sie. Efter they had sitten two

days, the mater was referred with great difficultie, and not without great intreattie, to the two commissioners. They decerned, that they be more freindlie to others than they have been, and in signe therof, to take others by the hand. Nixt, wheras there was noe preaching in the New Kirk on the Sabboth day efternoone, nor upon Tuisday, but once in fyfteene dayes, it was ordained that there sould be preaching everie Sabboth efternoone, and everie Tuysday, in the Little Kirk. Thridlie, that nothing be done in anie thing concerning preaching or discipline but by the advise of the wholle session; and in maters of great importance, of the counsel and session together. Wherupon they dranke, and shooke hands. But the reconciliation was not so hartie as it was formall and ceremonious. The ministers were sharplie rebuked by the two commissioners, for their oversight and behaviour to the towne. This they did to please the magistrats and the counsel.

THE MARQUEIS OF HAMMILTOUN'A PROCURATOUR FOR CONFORMITIE.

The Earle of Pembrocke came to Edinburgh upon the 10th of August, past his tyme five or sixe dayes. He was intertained by sundrie noblemen in the meane time. The Marqueis of Hammiltoun tooke journey with him toward England upon the Lord's day, the 15th of August. Before he entered into his journey, he sent for the provest and some of the counsel; willed them, seing his Majestie was better informed of their behaviour than the ministers had informed him, to sie how they could give his Majestie contentment, in making the bodie of the toun obedient to the ordinances of the kirk. Sir William Nesbit, provest, answeired to the marqueis, it was not their calling to informe the people concerning maters of religion, and the worship of God; but what concerned them they sould doe, so farre as they might with a safe conscience.

PATRIK RUTHVEN HIS INLARGMENT.

About this time, Patrik Ruthven, brother to the Earle of Gowrie, was lett out of the Toure, efter he had been detained there manie yeers, for the treason alledgit attempted by his brother, the Earle of Gowrie.

MR W. SCOT AND MR J. CARMICHAEL BEFORE THE HIE COMMISSION.

Upon Fryday, the 20th of August, Mr William Scott and Mr Johne Carmichael compeered before the Hie Commission sitting in St Androes, and holden by the bishope, assisted with some doctors. The bishope urged them with an oath, whether they were privie to the wryting of the book intituled "Perth Assemblie," or had anie hand in it. They refused to take an oath. Mr William Scott asked, If anie man wold urge the Bishope of St Androes to give his oath whether he committed adulterie or not, wold he purge himself by an oath? They were challenged likeways for not obeying the acts of Perth Assemblie, but used their owne defences. They were dismissed with threatnings to conforme in time coming. They were weill accompanied with the honestest sort of their parochiners.

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Mr Robert Bruce having stayed at Innernesse, after his entrie to his confinment, for the space of four yeers or therby, teaching everie Sabboth day before noone, and everie Weddensday, and reading and exhorting at the prayers everie evening, came to Aberdeene at the intreattie of the magistrats, hazarding upon an old licence which he had before he entered into Innernesse. But within a quarter of a yeer, he was charged to returne to Innernesse againe, which charge he obeyed. Efter the death of Mr Johne Straquhane, minister of the Forresse, he supplied the vacant place

at the desire of the magistrats. He was glade of anie occasion to remove from Innernesse, partlie becaus of the contempt of the magistrats, partlie to eschew contention with the paster, who everie yeer raised some new trouble to him; but most of all, becaus a hagbute was shott at him out of a fisher's house in the Fisher's Streete, whill he was going to the feilds, with his two servants. If by the providence of God he had not stoode still a litle, to behold a pyet nest, which he thought curiouslie made, the bullet had pearced them all thrie, for it went hard by their bellies. The knave, efter long searche, was found under the lyne, and efter triall, found to be the old Ladie Sutherland's officer's sone. The offieer himself was in the toun in the meane time, and promised to find caution under what soume it pleased Mr Robert to enter him, when and where he pleased; which offer Mr Robert accepted. He went out of Innernesse to the Forresse, 1613 yeer, and stayed till August, and then came to his owne house of Kinaird, efter his sone had brought him his licence. Notwithstanding that some times he felt God's presence so sensiblie to beare him up and confort him, that he could not containe himself in the night from breaking out in these words, "I am the happiest man of one that ever was borne; happie that ever I served God;" yit was he sometimes exercised with sicknes, and infirmitie of bodie, and sometimes vexed with the ministers of Linlithgow and Sterline presbyterie, namlie, by * * * * minister of Sterline, for finding fault with changing from kirk to kirk for the bishop's pleasour; and Mr Alexander Keith, for inveyghing against drunkennes, his guiltie conscience applying to himself the doctrine delivered by Mr Robert in generall. The thrid yeer, the ministers of Edinburgh, and some others of Lothian, traduced him, as one that behaved himself as a generall bishope, vaging from place to place without a warrant. The ministers of Edinburgh alledgit, that in his doctrine at Cramond he counted them false apostles. He was charged to remove out of Sterline, where he was resident for the time, and taught, becaus they were destitute of an ordinarie pastor, by an act of counsel at the king's direction, and to remaine at his owne

house in Kinaird, and to keepe within a mile about it. So he came to Kinaird in Marche this yeere, (1619,) teached in the gallerie, till at last he wearied; sent to the counsel and purchassed a licence, not without great opposition of the bishops, to remove to another dwelling-house which he had, called the Monkland. Efter he had transported his familie, he preached in the paroche kirk. Mr James Law, Bishope of Glasco, greeved at the resort of people to heare him, sent to Mr Patrik Wakenshaw, and commandit him, under paine of deprivation, to keepe his owne place. So Mr Robert was forced to retire out of Monkland, partlie for want of occasion to exercise his gift, partlie becaus he was delated to the king for keeping fasts in his house—a great crime, forsooth!—and yit, he had but two fasts all the time he was at Monkland, wherat Mr Robert Boyde, Principall of Glasco Colledge, and Mr Robert Scott, minister of Glasco, were present. The persons assembled exceedit not the number of twentie. So the man of God was tossed from place to place.

THE KING COMMANDETH THE MAGISTRATS TO BE CHANGED.

Upon the 17th of December, a letter was delivered to the provest, baillies, and counsel of Edinburgh, another to the baillies and counsel of the Canogate, both sent from the king, wherin he willed them to change the magistrats at the nixt Michaelmes, and to choose none other but such as wold conforme themselfs to the acts of the late Assemblie, as they will answeir to him upon their obedience. Howbeit this direction was prejudiciall to their liberties, and the weill of manie citizens, yit were the provest, the baillies, and the treasurer changed, and Alexander Clerk was chosen provest. He had indeid not onlie given prooffe of conformitie, by kneeling at the last Communion, but also threatned honest men in the session, for pleasour of the ministers.

A DIOCESAN SYNOD IN EDINBURGH.

The Bishope of St Androes held a diocesan synode at Edinburgh, in the Little Kirk, upon Tuysday, the 26th of October. In his sermon upon Heb. xiii. 17, he had these speeches: Obedience to pastors was necessarie. They were to be reverenced and obeyed, howbeit they were traitours as Judas, licentious as the sones of Eli, and profane as Arius; and their flocks ought to submitt themselfs to their judgments in maters spirituall, where the Word of God is not expresse in the contrare, otherwise there wold be noe order in the kirk, but great confusion, and all authoritie wold be contemned. In case the brethren and the people gave not obedience to their pastors and superiors, he protested they wold ruinate the kirk; and cited them before the throne of God, in case of disobedience. He was conscious to himself that he was bot a traitour, profane, and licentious. Amongst other effects of his profanitie, he made noe scruple upon the Lord's day immediatlie preceeding, to come out of Kinghorne to Bruntiland, send for the mariners who were in the kirk at the sermon, and to come over the water in Staige's boate. He landit at Leith in the fornoone, with a fair wind, in time of sermon, played at the cards efternoone, in time of sermon. And yit this profane villane, with an impudent face, darre seeke obedience and reverence, neither having lawfull authoritie, but usurped, nor urging things lawfull, but superstitious and idolatrous. With a cauterized conscience, he was not affrayed to make mention of the throne of God, which sould have made his guiltie conscience to have trembled. Efter sermone, he choosed young men and formalists to sitt upon the conference. Efter noone, he said, "I will appoint a meeting to hold the 23d of November, at St Androes, where my brethren the bishops sall be present. I sall send for such ministers as refuse to conforme. We sall sie what reasons they have. Either we sall putt them out of Scotland, or they sall putt us out. It were better that both they and we were hangit, (heare the villane!) or the Gospell decayed. We

will be as zealous as themselfs. He was a false lying knave that made 'Perth Assemblie,' for there was not one man there but he was called on." Yit he excepted Mr Johne Murrey, whom, he said, he omitted of purpose. "We must all goe one way," said he: "Mr Moulins, the learnedest man in France, when he was in England kneeld: his Majestie's heart rejoyced when he heard of it."

THE MAGISTRATS OF EDINBURGH CHARGED TO WEARE SCARLET ROBES.

Upon the 22d of November, the provest, the four baillies, the deane of gild, and the treasurer, were commandit, by a charge from the king, to prepare everie one of them a reid robe of scarlot lyned with furring, and the provest to have a chaine of gold beside, against Christmas nixt, and to weare the same upon Sondays and holie dayes, as the major and aldermen of London doe.

Upon the 23d of November, before the bishops and ministers conveened at St Androes, Doctor Lindesay was consecrated Bishope of Brechine, in the Castle of St Androes. This was the rewaird Doctor Resolutus gatt for his booke intituled "Resolutions for Kneeling," which were answeired and solved, as they might easilie have beene, soone efter.

In the meane time, Doctor Barclay teaching in the paroche kirk of the toun, upon Eccles. v. 3, 4, 5, he insisted upon the danger of breaking vowes; 1. Affirming, that howsoever vowes in things unlawfull were nullities, yit in things indifferent they were irrevocable, and did bind necessarlie. 2. That noe excuse wold serve before the angel. Though it were a thing in our owne power, and which we needit not to have vowed if we had pleased, yit the vow being past, it doth bind us ever to the strict performance. 3. That objection of lossing geare, and overthrowing wife and children, is noe warrant at all to breake a vow. That these who will save all by breaking their vow sall surlie lose all; for the curse of God sall lie on that which by such meanes they gett or save. "God,"

sayeth the text, "sall destroy the works of thine hands." With a sore and smarting conscience might they stand before him, that had broken their oath to lose their geare.

THE CONFERENCE BETUIXT THE BISHOPS AND MINISTERS AT ST ANDROES, THE 23D, 24TH, 25TH OF NOVEMBER, 1619.

Efter that the Archbishope of St Androes, Mr Spottiswode, had made a short prayer, he brake off with these speeches: "Brethren, I presumed to call you together to this meeting, without the king's knowledge, (so like) but certifying his Majestie of my intention. He interpreted my dealing to the best, and therfor has sent his trustie servant, my Lord Scoone, to be present at our meeting; and with him his letter, for farther declaration of his pleasour at this meeting. As for my part, I confes I could be content that the Church of Scotland could have wanted these things. But seing his Majestie doth urge them, and that without his displeasour we cannot tolerate your refusall anie longer, the things themselfs being indifferent, and now established by an act of the kirk, you must not think that we meane to suffer in this caus with you, although ye sould incurre great troubles heirefter; for I will preferre the unitie of the kirk before your children, wifes, estate, &c., and what his Majestie's expresse commandment is, ye sall heare by his owne letter." The clerk heir began to reid his Majestie's letter presented by my Lord of Scoone; but becaus the clerk failed, the bishope tooke it from him, and redd it perfytlie, the summe wherof was this:—

"Having heard of your meeting the 23d ot November, I have sent our trustie servant, the Lord of Scoone, to signifie our pleasour more fullie unto you, and to certifie us againe of your proceedings heirin. And I doe command you, as you will be answeirable to me, that ye depose all these that refuse to conforme, without respect of persons, no ways regarding the multitude of the rebellious; for if there be not a sufficient number remaining to fill their places, I will send you ministers out of England. And I charge

you to certifie us of your proceedings, betuixt this and the thrid of March nixt to come."

Efter this, the archbishope sayes, "Brethren, I have not called you together for disputation, to irritate one another, but that we may lay our heads together, to advise of the best course for the peace of the kirk, which is disturbed with a dangerous contention. Wherfor, I will desire of everie one of you your advise to further this peace; and heirin, I will begin at you, my Lord of Aberdeene." Then the Bishope of Aberdeene had a speeche to this sense:—

"In these fearfull and unpleasant divisions of our kirk, I will consider, First, the Caus; Nixt, the Danger; Thridlie, the Remedie. First, for the Caus, I can heirin excuse neither side; some preventing the decreit of the kirk, presuming to preache and practise some of thir things before the kirk had determined them, in which precipitation I cannot excuse them; others, againe, albeit the kirk has determined the controversie, doth still refuse obedience, wherin I cannot excuse them. For howbeit I could have wished that these things had never beene urged, and that the church might have been without them, yet seing in their nature they are indifferent, and the king, whose authoritie requires them, hath also gotten an act of the kirk on his side, I think it reasone he sould be obeyed. And if there were nothing farther, but that the Assemblie of the kirk decreed them, it is sufficient to move obedience to anie reasonable person. The nixt thing is the Danger, which is great, according to the varietie of persons to be considered in our kirk: for there are some Atheists, some Papists, and some weaker professors. 1. Atheists I call these, who though in the former estate of our kirk they seemed to professe religion, and were keeped in within the compasse of some lawes, but never made conscience of anie religion. The nixt danger is by Papists, of whom I can speake by experience, who, when they are desired to come to the church, and to joyne with us in the worship of God, they answeir, 'If you hold on the gate that you are going, we will meete er it be long.' The last danger is, in respect of weake ones,

who, seing such a distraction of opinions, and contrarietie amongst ministers, doubt of all religion, and cannot tell what side to take them to. The remedie, in my judgment, is to submitt peacablie ourselfs to his Majestie's desire, since the things are indifferent. And he hath obtained an act of the kirk on his side, which may be a sufficient warrant to anie reasonable person for conformitie; and, therfor, it were goode that lovinglie brethren sould conferre one with another, that so they might come to agreement."

Efter this, the Archbishope of St Androes asked another bishop's advise in this mater, to whom the bishope answeired, "My Lord, since the things are indifferent, I sie not a reason but they sould be obeyed; and the rather, for the feare of the inconvenience; for it is seldome to be observed, but that shisme endeth in heresie."

Then the archbishope urged the Bishope of Brechine's opinion, to whom he answeired, "My Lord, light and unitie sould goe together; and, therfor, I hope that a brotherlie conference on both sides may be a goode meane to bring peace."

Then he turned him toward the ministers, and began at Mr Johne Carmichael, earnestlie craving his advise. Mr Johne answeired efter this maner: "If I may frielie speake my mynd, (speaking of these things as they are esteemed,) I have found, that in all times, the urging of things indifferent hath filled the kirk with contentions, which these who have agreed in the foundation could never be brought to one judgment, in other lesser maters that are not necessarie. Secondlie, the judgment of famous divines of all times hath been, that these who agrie in the foundation, sould beare one with another in things indifferent. I remember to this purpose a speeche of Sozemene, '*Turpe est iis, in adiaphoris contendere, qui in præcipuis Christianæ religionis capitibus consentiunt.*' And when in the Germane Interim, counsel was taken to banishe those worthie men who could not yeild to the things was counted indifferent, I call to mind the speeche of Hermannus to Cassander, '*Et tunc audeas eos in exilium ire jubere, propter rituum et consuetudinem diversitatem, qui una nobiscum in præcipuis Christi-*

ane religionis capitibus consentiunt.' And on occasion, in England, I have had the judgment of some learned men in this same case, and amongst others, of Bishope Fahane, Bishope of London, whose words were to me, 'If I were charged,' sayeth he, 'on an oath, I wold take my oathe, that the Kirk of England might weill want these ceremonies; and that seing we hold them indifferent, and our brethren hold them unlawfull, we are bound to beare with them, becaus by the rule of the apostle, "The stronge sould beare with the weake.' Thridlie, it hath been the practise of the Kirk of England to tolerate diverse of these brethren, though differing from them in these things, as Mr Grinhame was tolerate to his dying day. Wherfor my advise is, that though we differ in judgment in these things, yit that we live together, promoving the caus of the Gospell in the faithfull discharge of our places, not irritating or provoking one another. And thus may the peace of the kirk be weill procured; for unitie of religion may weill consist in diversitie of ceremonies." Efter this, Mr Johne Carmichaell departed, being ill at ease, and went to his lodging.

The archbishop urged Mr William Scott's advice, to whom he answeired, "I have not that dexteritie of uttering my minde that some others have, and thereby comes to passe, that my words are wreasted to another sense than I intend them; of which I have late experience, when my words at Perth were caried to the king in another sense than ever I spake; and, therefore, I could desire that I were spaired at this time." But being still urged to give his advice, he spake after this maner:—

"I have," sayeth he, "continued in my ministrie manie yeers, spending moe goods nor ever I gained thereby. And now, the infirmities of my bodie and mind doth so increase, that I doe verilie think the time be neer of my relaxation. And if his Majestie be pleased soonner to discharge me, I am readie to undergo his will in that case, before I embrace these things that are urged."

The archbishop craved Mr Robert Balcanquall's advice; to whom he answeired, "My Lord, I sould think it fitt that advice

were sought at other reformed churches, the mater being of so publict a nature." To whom the bishop replyed, "Our kingdome is a monarchie, and monarchs are jealous to admitt other nations to medle in their effairs. Our king is wise enough to govern his kingdome, without advise of other nations." "Yea," sayes Mr Robert, "but, my Lord, the deposed and banished ministers being constrained to goe to other countries, occasion other nations to think of our church as of an apostatick church, and his Majestie escapes not without censure, becaus they are not made acquainted with our proceedings." Then the archbishope answeired, "Mr Robert, I tell you, his Majestie needs not the reports of anie countrie to uphold his respect. Nay, I am perswadit, that Protestant churches of other countries doe so highlie respect him, that there is none of them who will not give him leave to sett doun what they sould professe. And if they that are banished goe to Monsieur du Mouline, or wise men, they will tell them that they are fooles to leave their places for suche trifles. It may be indeid, if they goe to Mr Johne Welshe, and such like, he will greete and weepe with them, and say, 'All is wrong in our kirk!' Manie men, when they have litle in themselfs, will pretend to be zealous for the kirk, to gett themselfs respect among the people; nay, there be some that have their choppines of wine among wifes." And heir the Bishop of Aberdeene interrupts him, saying, "Good, my Lord, be patient: passion did never good in these maters." But the archbishop said, "My Lord, ye must beare with me, for I sie some of them heir: I cannot forbeare. I meane not Mr William Scott, and Mr Johne Carmichael; they are modest and wise men. But fooles, fooles are they, that at a choppine of wine with wifes hath beene bold to say, 'The king will die, and the prince is otherwise myndit:' but they sall all be hangit or the king die;" or such like speeches was, but I pass by them.

Doctor Lindsay, Bishop of Brechine, had a speeche to this sense: "Wheras it is alledgit, that unitie of religion may consist with diversitie of ceremonies, it is true in the Catholick Kirk, but

not in a particular kirk under one regiment, that cannot be speciallie, when diversitie is not onlie in practise, but in doctrine. For when one side holds them indifferent, the other necessarie, the one must needs be an heresie, and therefore not to be tolerate in the same kirk."

The Bishope of Rosse then spake efter this maner: "I am perswadit that diversitie of ceremonies may consist with unitie of religion, not onlie to the Catholick, but in particular churches, so it be not contrarie to the acts of the same church. But seing these things are established by the acts of the Assemblie, it is most just and equall to require them of all the members of that church."

The Bishope of Aberdeene sayeth, "It may be, some of the brethren wold more willinglie speake their minde, if they were not in the presence of so manie. I wold think it fitt to remitt the debaitting of the mater to some few on either side, namlie, seven and seven;" whom when the archbishop wold have nominated for both sides, the Bishope of Aberdeene intreatted him onlie to name seven for his owne side, and to suffer them to name the other seven for their side, and to appoint the meeting at eight houres of the nixt morning. And thus much for the first day.

The nixt day, being Wednesday, Mr Johne Carmichael went to the Bishope of Aberdeene, before the meeting, telling him that by reason of his infirmitie, he could not continue with them, and therefore intreatted him faithfullie to relate his minde to the rest of the bishops. He first redd to him a modest and zealous letter of Doctor Humfrey, exhorting some in place to move the queene for toleration of the faithfull and painfull ministers, or removall of the ceremonies. And wheras the bishop preassed the act of the Assemblie for these things, he spake to him in this maner:—

"My Lord, if ye preasse that act of the Assemblie on us, ye must give us leave to answeir for our self. Surelie, when we are gone that are present, it may be, it seeme of more force; but if ye preasse us therewith, we sall be provoked to speake that which will discontent you, and make it cleere to be noe law. 1. Your-

self confessed after, at Aberdeene, that if the brethren had beene faithfullie dealt with, you had not gotten halfe of them on your side. 2. Ye know it was promised by the archbishope, that it sould not be a snare to the kirk efterward; and therefore he desired onlie the brethren to give way for the present, for the king's satisfaction. 3. He alledgit that the act was not conceaved in the termes of a law, 'We ordaine,' but onlie in these words, 'It seems meete or convenient,' therin setting doun your judgment, and not a law or a decree. In respect of which tenor and forme, one of the bishops did efterward come to a number of us, who were for the present together, and said, 'Sie how we have sett doun this act of geniculation, in words which may give the king contentment, but yit, such as may not inforce a law to be a snare to brethren.' And now, I came not hither to flatter, wherefore I must tell you, so long as ye suffer us to be quyet, we do not urge you with these things. But if ye strait us with that act, under pretence of a law, we sall be forced to make knowne to the world how that act was driven on, upon what promises and conditions it was convoyed, and how, by the maner of inacting, it is noe law. So that if ye trouble us in this mater, we sall make the world to know ye molest us without law. And further, whereas ye call thir things indifferent, if ye urge us with them, I hope by the grace of God that we sall make it manifest to the world, both by word and writt, that thir things are not indifferent, but simplie unlawfull. Our sufferings, when we cleir ourselfs, will doe you moe evill nor goode. And think not, by these meanes, to promove the king's caus, but to hinder it., I came not to flatter you. If ye will needs putt us to this pinche, ye know what to expect." Then the Bishop of Aberdeene answeirs, "But you sie how earnest the king is, and what a charge he hath sent. We could wishe toleration; but how sall we doe with the king, to gett him satisfied?" Mr Johne answered, "My Lord, for the king, if ye have anie love to the kirk or brethren, you know weill enough how to satisfie his Majestie; and I leave that to you, and also intreatteth your Lordship, that since ye know my minde fullie

in these things, because my infirmitie will not suffer me to be present, I pray, consider what I have said, and certifie the rest of the bishops of the same at your meeting."

At eight houres, the brethren being about to meete, there was a report that the Bishop of Aberdeene was earnest with the rest, to deale with his Majestie for toleration, at least, for longer time, to be advised in these difficulties.

When the brethren mett at eight houres, Mr Johne Carmichael was drawn to the meeting, notwithstanding of his infirmitie. At his coming, he found them reasoning, not so much in soliditie, as by cursorie velitations; wherupon he said, "If it be your intent to have these things fullie reasoned, I pray you tell us plainlie, that we may agrie in some course, to have these things fullie discoursed. His desire was, that they might reason by wryting, which is the onlie way to end the controversie; verball reasoning was not so goode." This was refused, and the act of the Assemblie still poused,[1] to prove them things alreadie agreed. To whom he answered, "I pray, preasse us no more with that act; ye know what we can say of it. If we be not urged, we are loath to provoke you; but since ye move us, I must tell you what I said of it to the Bishop of Aberdeene;" and so repeatted the same in publict which he had said in private.

The Bishop of Glasco hearing that that act was not begunne in the forme of a law, in the words, "We ordaine," but thir words, "We think meete," answeired, that in that law they did imitate the apostles' decree. But it was answereu, That could not excuse them; for the apostles affirmed it, not onlie to seeme meete to the kirk, but to the Holie Ghost, and therefore binding *jure divino*. But the same words spoken by an ordinary church, that it "seemeth good to them," is not a binding rule, but their particulare judgement. Efter manie more discourses to litle purpose, seven and seven were thought too manie to come to agreement. Therefore three on either side were appointed against efternoone; for the ministers, Mr Johne Carmichael, Mr William Scott, and

[1] Pushed, thrust forward.

Mr David Mearnes; for the other side, the Bishope of Brechine, Doctours Bruce and Howie.

In the efternoone, after long reasoning at that meeting, the bishops urged the brethren to yeeld to some middes, for satisfying the king, since they could not be moved to yeeld till all their desire. And the particulare that was craved was, that everie communicant may receave from the minister's owne hand the elements, and not divide them amongst them, according to the usuall maner. To which Mr Johne Carmichael answeired, "Will ye promise, if we sould yeeld so farre unto you, that noe more sould be urged on us?" Then they answered, "That is more nor we can promise." Then said he, "Why will you trouble us with motions that will not end the controversie? If we wold yeeld to you in this, ye wold but perswade the king that we were coming toward you." Wherupon their answeir was, they could not make anie middes, but desired they might injoy their ministrie, and dischairge their duetie therin, as they had beene in use; and to this effect a supplication was framed. Mr Johne Carmichael said also to this effect: "We have served, some fourtie, some moe yeers in the ministrie, with some measure of fruit. Conformitie is litle above a yeer old; unles it be found more profitable for the kirk than our ministrie of so manie yeers, it were a hard thing to deprive us of it."

The supplication was givin to the bishops at foure houres, who consulted with my Lord of Scoone anent an answeir therunto; and after long consultation, the ministers were called in, unto whom the archbishop spake to this effect:—

"Brethren, seing the things required are indifferent, and seing we have used all meanes to bring you to conformitie, but you make your owne excuses; some pretend one thing, some another, but no wayes giving a sufficient reason; and we thinke it strange, that men sould stand out in their practise, wherof they cannot give a reason. For my owne part, although I be not a great schollar, yit I can give a reason of what I practise. For holie dayes, I grant, some arguments may be framed against them,

though they may be easilie answered. But for the other controversie of bowing our knee to our Saviour, it is the worst controversie that ever was debated in a Christian kirk. Wherefore I must tell you, he that will not conforme himselfe in these things indifferent, must seeke his ministrie in another kingdome than Scotland. And, therefore, prepare yourself to give an answeir the morne at nyne houres, when we sall have a sermon before we depart. It may be, that light will come in one night, which hath not come before." Wherunto answeired Mr Alexander Kinnear thus:—

"My Lord, I hope ye will not preasse us anie farther, than the end of our coming expressed in your letter. We were sent for onlie to give our advise, and we have done it. We hope, therefore, ye will not urge us with anie further at this time." To whom my Lord of Scoone answeired:—

"There is one above the Bishope of St Androes, that hath sent to take your answeirs; and I must have your answeirs, that I may carie them to his Majestie." Then said a brother, "My Lord, we have given our answeir alreadie, for which we were called."

Then the Archbishope of St Androes said, "Ye have said indeid that ye can yeeld us noe middes; but by way of supplication, ye desire to continue in peace, as ye have done. But ye must meete us the morne at the time appointed, and resolve us farther." Then said a brother, "My Lord, urge us no farther. It is winter weather, short dayes, and we are farre from our owne places, and has beene longer keept than we expected: we have done all we were sent for." Then said my Lord Scoone, "If anie of you goe away before you appeare to-morrow, I will take your absence for a plaine denyall, and so relate it to the king." Then said my Lord of Aberdeene, "I sie no reason the brethren sould have a prejudice of their coming at this time, seing they are sent for to another end." The Lord of Scoone answeires, "The king appointed me to take their answeirs."

Then the Archbishop of St Androes being moved, as appeared, by Aberdeene's speache, and conscious to his owne letter, he and Aberdeene joyned together, and contested with my Lord Scoone.

But in end, they resolved to consider the king's letter, and to reade the same to the ministrie at their nixt meeting, becaus my Lord of Scoone had not the letter presentlie on him.

Wherefore the ministers were desired againe to meete, but none came to that meeting, partlie becaus they had given an answeir, partlie becaus there was noe particulare place sett doun; onlie Mr Alexander Henrisone was called, being neere by where they mett, but litle or nothing was said to him, becaus he was himself alone; onlie he heard my Lord of Scoone breathe out great threatnings against the absence of the ministers, asking the bishope what answeir he sould give his Majestie. Who answered, "Ye sie the brethren conveened were quyet, honest, modest men: the like I may say of all the rest of this part of the countrie, except the Presbyterie of Dumfermline, and Mr Johne Scrimgeour." And for further satisfaction of my Lord of Scoone, the bishops promised to testifie by their letter to his Majestie my Lord Scoone's faithfull imployment. Wherin also they were to requeist his Majestie to have patience whill the 3d of Marche, which time they promised to give his Majestie more evidence of their service, whereby they were in good hope to prevaile.

Efter this meeting of the ministers, Mr Henrie Blyth and Mr David Forrester were called. Mr Henrie being absent, the bishope gave him his testimonie that he was a modest man, and that all that had come to him was for nothing in himself, but onlie becaus the people of Edinburgh wold not acknowledge their owne pastors, but come to him.

Then Mr David Forrester was called, to whom the archbishope said, "Mr David, I have received a letter from the king concerning you; therfor ye must answeir whether ye will conforme or not, before I say anie more." Then said Mr David, "My Lord, it is a thing I will not say I will doe it; nor will I say I will never doe it. But yit I cannot be persuadit of the lawfulnes of it; for I was brought up under that reverend man, Mr Patrik Simson, from whom I sucked the contrarie from my childhood. I was taught by him that sitting was a sacramentall ceremonie, signifying our

spiritual familiaritie with Christ our Heade; which I hold agreeable to the Scripture, and therfor not to be altered."

Then the archbishope said, "Mr David, weill, I must tell you, I have a charge to depose you."

Then the Bishope of Aberdeene said, "My Lord, I pray you give me leave to doe that which, if ye faile me, will doe me harme. I will take his depositioun out of your Lordship's hands into mine owne; for this I must needs say, though he be not yit fullie resolved, yit he is somwhat more tractable than when he came till us. And though he stand on his owne conscience, as everie good Christian sould doe, yit is he als modest, and subject to heare reason, as the youngest scholler in Scotland." And thus he escaped deposing for that time.

There were present at this meeting nyne bishops: St Androes, Glasco, Aberdeene, Orkney, Galloway, Argile, Iles, Dumblane, Dunkeld. They had agried amongst themselfs in secrete what part everie one of them sould act in publict. Becaus it was thought the Bishope of Aberdeene had retained a peece of his old credite in the hearts of the better sort, he was thought the fittest man to steppe in some tinles as a midd man, that so they might draw the non-conformitans to yeild somwhat. Yea, St Androes himself, when he saw he could not effectuate his purpose, seemed als calme as anie of the number. They knew weill eneugh it was but follie to assault manie at once with censures, knowing verie weill that everie one wold encourage another. And therfor they dissolved this time with calmnes, intending to follow furth their wonted course in singling out such as pleased them, and to draw them befor the High Commission.

Mr David Barclay, at the dissolving of the meeting, teaching upon his ordinarie text, Eccles. v. 7, had these speeches: "Wicked men somtimes doe not onlie deny the benefite of just lawes, but also frame unjust lawes to oppresse the poore. Be not astonied. Good men are accustomed to be astonied and shaken from their constancie when they sie such unjust proceedings. But they must not be astonied, but pull up their courage. There is a highe above

highe; and though one highe, even the highest on earth, sould faile us, and sett against us, there is a higher taks our part. Therfore, in all our wayes let us remember two high ones, a highe above a highe, that if the one faile us, we be not like them that have none els to rest on."

Seing the pretendit primate made mentioun of Mr Johne Welshe at his conference in a disdainfull and scornfull maner, I have subjoyned his letter, sent about this same time to Mr Robert Bruce, wherin he declareth what was his judgment touching the innovations brought in into our kirk, becaus the judgment of that man of God, and faithfull souldiour of Christ, is more to be respected than the primat's and Monsieur Mouline's both.

"RIGHT REVEREND AND DEIRLIE BELOVED BROTHER,—I wold not let this occasion pas to wryte to you by this bearer, your kinsman, whose comportment in this countrie hath always been with honour, giving testimonies of true religion and godlines in the places of his sojourn, which for some time was with me. The 'Nullitie of the Assemblie at Perth' being sent to me, hath taken all pretext of ignorance and excuses away, and I judge them blessed who, in a desertion so universall, keeps their garments cleane, without spott; of the which, Sir, ye are one, whose testimonie to the trueth, and against the defection brought in, is knowen to all the churches. The persecution there is lamentable; but, without all question, when the chaffe is discovered, he will not lett the rod of the wicked remaine for ever upon the backe of the righteous. It is noe mervaile, if, efter so long a peace, so great a libertie, and the jowisance of the Gospell in such abundance, at the last he send the fyrie triall. What my mynd is concerning the roote of thir branches the bearer will shew you more fullie. They are noe more to be counted orthodoxes, but apostats. They have fallen from their callings by receiving antichristianes, and bringing in of idolatrie to make the kingdome culpable, and to expose it to judgments fearfull for such a highe perfidie against an oath so solemnlie exacted and given; and are noe more to be counted Christians,

but strangers, and apostats, and persecutors, and therfore not to be heard anie more, neither in publict, nor in consistories, colledges, nor synods; (for what fellowship hath light with darknes?) So, with the measure the Lord hath given, I recommend you to that sufficient grace, and your whole familie.

"Your loving Brother, and unworthie to be called the Servant of Christ,

"MR JOHNE WELSHE.

"From St Joan, this 20th of * * 1619."

CHRISTMAS-DAY OBSERVED.

In the beginning of December, there was a charge proclaimed at the Crosse of Edinburgh for the observation of Christmas-day. That day, Mr Patrik Galloway, teaching in the Great Kirk, proved the best he could the lawfulnes of observing that day, and rejected disdainfullie all arguments alledgit in the contrare. But the people disdained him and his reasones, and the learned knew him to be but an arrogant Ignaro. There was a phreneticke man stoode up in the meane time, and objected to him the pensions he had of the king. His cheefe reasone for preaching upon that day was, that ministers sould preache in season and out of season. But there was noe preaching in the Old Kirk on the Lord's day, the second of Januar, becaus he alledgit that he was not weill at ease; wherupon the people said, Mr Patrik preached out of season, but preached not in season, becaus he preached upon Christmas-day, and preached not two Sabboth-days efter. Noe intimation was made by the ministers that anie of them wold teache that day, as was done the two yeers before, nor warning made by the magistrats. The other pensioner, Mr William Struthers, taught in the Little Kirk. Manie booth doores were open in time of sermon.

M.DC.XX.

MINISTERS CITED BEFORE THE HIE COMMISSION.

Master Johne Weyms, Mr Johne Scrimgeour, Mr Johne Gilespie, Mr James Home, Mr George Grier, Mr James Porteous, were summoned to compeir before the Hie Commission for not preaching upon holie dayes, and not ministering the Communion conforme to the conclusions of Perth Assemblie. The copie of the summones given to Mr George Grier, minister at Hadintoun, heir followeth :—

"JOHNE, by the mercie of God, Archbishope of St Androes, Primate, and Metropolitan of Scotland; and JAMES, Archbishope of Glasco, to our lovits, * * * * * executors heirof, conjunctlie and severallie, speciallie constitute, greeting. Forsameikle as Mr George Grier, minister at the kirk of Hadintoun, being diverse and sundrie times required to conforme himself in obedience to the acts of the last Generall Assemblie holden at Perth, upon the 25th day of August 1618 yeirs; speciallie, preaching to the people the storie of Christ's nativitie, passion, and resurrection, upon the dayes appointed therto by the said Assemblie, and ministering the holie sacrament of the Communion according to the forme prescribed: Notwithstanding of the saids acts, the said Mr George does continue wilfull and obstinate in his disobedience to the saids acts, by the which great offence is given to manie of his Majestie's leiges, and occasion given to disobey the authoritie and discipline of the kirk: And, therfore, the said Mr George has most evidentlie and contemptuouslie contraveened the saids acts of Generall Assemblie, and ought and sould be deprived of all function in the ministrie, and decerned to incurre the whole censures and paines conteaned in the said acts, and which we, by vertue of his Majestie's Hie Commission, may impose upon him for his contumacie and dis-

obedience: Thairfor we charge you straitlie, and commands, that incontinent efter the sight heirof ye pas, and lawfullie summoun, wairne, and charge the said Mr George Grier to compeir before us and our associats, commissioners appointed by his Majestie's Hie Commission, at Edinburgh, the 26th day of Januar instant, in the Bishope of St Androes his lodging, at ten hours before noone, to answeir at the instance of Mr Patrik Forrest, our procutor-fiscall: That is to say, the said Mr George to heare and sie the premisses verified and proven against him; and the samme being verified and proven, the said Mr George decernit to be deprived of all function of the ministrie in all time coming, and to be punished by all censures and paines that we, by the saids acts of Generall Assemblie, and by vertue of his Majestie's Hie Commission, may impose upon him. Certifeing him if he failyie, we will decerne in maner forsaid, and caus letters be directed for denuncing him his Majestie's rebell, for his contumacie and non-compeirance.

"Given under our seale, at St Androes, the 17th day of Januar 1620."

Two gentlemen of the paroche of Hadintoun excused Mr George Grier's not-compeirance, alledging his sicknes. The rest of the ministers compeired, and appointed Mr Johne Scrimgeour to answeir in name of the rest. The Bishope of St Androes began to deplore the rent that was in the kirk. He affirmed, that it was against his heart to urge conformitie, but his Majestie blamed him for his lenitie. He was calme, becaus there was not a full number to make up the court; for there were none present but the Bishops of St Androes, Glasco, and the Iles, and Mr Walter Quhytfoord. Therfor they were dismissed, and wairned to compeir against the 1st of Marche, betuixt and the which time, if they conformed not, they sould be deposed. But he caused the clerk make an act, bearing their consent to deprivation the said day, in case they conformed not, howbeit they all with one voice had protested, that willinglie they wold never renunce their ministrie. Becaus Mr Johne Weyms alledgit he was not singular, but that all the breth-

ren of the shire where he was minister agried with him in judgment and practise, the bishope tooke occasion to cite others against the nixt time. Mr Johne Scrimgeour, notwithstanding of the bishop's threatnings, celebrate the Communion upon the 6th of Februar, according to Christ's institution, and the former practise of our kirk, becaus it was his custome to celebrate the Communion everie quarter of the yeer. Manie inhabitants of Edinburgh resorted to it.

A CLERK IMPOSED UPON THE SESSION OF THE KIRK OF EDINBURGH.

Upon Thursday, the 16th of Februar, the counsel of Edinburgh constituted Mr Alexander Guthrie, younger, clerk to the session of the kirk, notwithstanding that the ministers opponed. The ministers protested, that it sould not be prejudiciall to the liberties of the kirk. The commissioners for the counsel protested, it sould not be prejudiciall to the liberties of the counsel. The ministers of Edinburgh did not so much when the liberties of the whole kirk were encroached upon. Justlie therfor are they, and the session of the kirk, brought under bondage by these who never durst presume in purer times to usurpe so farre over their ministers. Farther his protestation was but onlie for the fashion; there was noe serious meaning to seeke redresse.

SOME MINISTERS IN FIFE CITED BEFORE THE HIE COMMISSION.

Upon Monday, the 21st of Februar, Mr Johne Chalmers, Mr Johne Murray of Stramiglo, Mr William Areskane, Mr James Wilsone, Mr William Murray, Mr James Bennitt, and some other ministers in Fyfe, were summoned to compeir upon Thursday, the 14th of Februar, in St Androes, to heare and sie themselfs deprived for not observing holie dayes, and not ministering the Communion according to the order prescrived at Perth. All compeered except Mr Johne Chalmers, minister at Auchterdeer, who was ex-

cused by sicknes. The Bishope of St Androes said, It was a lowne sicknes: he wold not be sicke to come to the Communion in Kinghorne. The bishope made a haraunge to these who compeered, and efter urged them with conformitie. They refusing, the bishope respyted them till Pashe, and inhibite them to celebrate the Communion unles they conformed; with certification, in case they conformed not betuixt and that time they sould be deprived.

Upon the 1st of Marche the Bishope of St Androes, assisted by the Bishops of Dunkeld, Galloway, Iles, Dumblane, Mr Thomas Henrisone, commissar of Edinburgh, and Doctor Blair, held a court of Hie Commission in Edinburgh, in the Bishope of St Androes his lodging.

THE PROCEEDINGS OF THE HIE COMMISSION AGAINST MR JOHNE SCRIMGEOUR, MINISTER AT KINGORNE, THE 1ST OF MARCHE 1620; SETT DOUN BY HIMSELFE.

St Androes. Mr Johne Scrimgeour, minister at Kinghorne, being called on, St Androes shew the reference to the day, alledging he had promised either to conforme, or quite his ministrie, as the act, at his last compeirance, Januar 26, proported.

Ans. He answeired, "I am over sore straited; for to conforme I never saw reason; for my ministrie, it was not mine, and so I could not give it."

St Androes. "The act beares so, and ye must stand to it:" and the act was redd bearing so.

Ans. "Where there is an act in judgment, it must either rise of the processe redd, and so it may bind; or it must be by consent of partie: noe processe was redd, noe consent craved of me, noe word written in my presence; so noe act could be." And whill the clerk alledgit the summones was redd, he, *contra*, and he appealed the Bishop of Iles' testimonie.

St Androes. "We pass from the act: then, what say ye to the

summones?" (and they were redd.) "Will ye conforme to the act of Perth in the sacraments, ministration, and dayes?"

Ans. "Before I answeir to the questions, I pray your discretions to weighe the reasons of my refusall, which is not of anie contradictorie mind. My education from my childhoode, receiving it some fourtie yeers so, being perswadit by the trueth, vowing, professing, and practising in all maner of band binding me therto. For dayes likewise, as I have seene all the ministrie most eagerlie sett against them; therefore, I think it is great wrong to urge anie of them."

St Androes. "The kirk may change the policie therof, and things rituall and indifferent, as occasion and necessitie craves."

Ans. "This wold take a long time to speake of the kirk, her power, things rituall and indifferent, and what this policie may be."

St Androes. "Even this same change anent the sacrament's administration; so sayes Knox; his Majestie marked it."

Ans. "Produce anie thing of Knox may make for kneeling at the Supper, and keeping holie dayes."

St Androes. "Fetche the booke." And it being brought, he redd, about the end of his Historie of the Kirk, these words, as I remember, "The church may change rites and ceremonies that ingenders superstition and profanation."

Ans. "True, and so they changed from kneeling, and dayes keeping, because of superstition and prophaness; and so means Mr Knox, and so practised he."

St Androes. "Sitting at table workes these."

Ans. "Then will I yeeld all to you. It will never be proven."

St Androes. "One sitting at table, and giving the cuppe to a woman, takes her about the necke, and kisses her."

Ans. "That was noe superstition, nor proves it profainness; these must rise from the action itself. The Earle of Huntlie and his ladie being at masse, his brother wold in the verie meane time lean on upon my ladie's gentlewoman: will that prove the masse profaine? A Papist wold deride it, and say, it were a *non causa.* But I will prove both superstition and profainness in these two

articles rysing from them. For kneeling, sundrie Papistick bodies has thanked God for the old world come againe; some so confusedlie giving and receiving, and crying, 'The devill a bitt I have gotten!' For dayes, who cannot sie it?"

Dumblane. "That is upon the people's ignorance not taught. Martyr commends kneiling."

Ans. "If superstition and profainness be ministred by the caus of the action, teaching is in vaine, and evill, as heer it is. For Martyr, when I sie the place, I sall answeir to it."—The place was not shewed.

Dumblane. "Most of the reformed kirks has kneiling."

Ans. "None but England, and Papists and Lutheranes. France and Holland is against it, as in their Confession, '*Genuflexionem, propter suspicionem idolatria, adversamur.*'"

Dumblane. "It is '*periculum.*'"

Ans. "The better for me."

Dumblane. "Beza, in an epistle to some brethren of England, shews, they sould tolerate their ceremonies, rather than leave their ministrie."

Ans. "What Beza speaks, the place may be seen. Beside, England's case and ours are farre different, speciallie then and now. Marrie, Beza in another epistle, I think to the Bishop of Londoun, exhorts him not to urge the brethren with them."

St Androes. "Ye gather the countrie to your communion, as from Edinburgh, St Androes, James Traill from the north of Fife, the Laird of Halhill."

Ans. "I shew my part before, I never sought one of them. I could not stand at the doore to hold them out."

Dumblane. "It is forbidden in an act of Generall Assemblie, and ye make meikle of them, that anie sall be received from another paroche, without the minister's testimoniall."

Ans. "I wold the acts of the Assemblie were keeped. But that was where in neighbour paroches, some persons were in some offence and slander, and justlie refused by their owne ministers. But was it ever quarrelled, but with great confort practised, sun-

drie ministers celebrating at sundrie times, the saints resorted to neighbour kirks, as they were moved, and were verie lovinglie received; and to speak freelie, when the ministers of Edinburgh comes to *semel in anno*, sall all the Lord's people be bound thereto? What if they wold preach but once a moneth; sould they heare noe oftener?"

Commissar Henrisone spake something heir, which I passed lightlie. It was litle mater, and I have forgotten it.

St Androes. "Will ye conforme to the articles, as they are in the summones?"

Ans. "I cannot: I know noe conformitie but with Christ in his death, and sufferings, and in glorie."

St Androes. "Will ye refuse them then?"

Ans. "Indeid will I."

St Androes. "Will ye testifie that by writt?"

Ans. "Yea." So an act was penned by St Androes to this effect: "Mr Johne Scrimgeour, minister, being conveened before the Hie Commission, and inquired if he wold conforme himself, and minister the Lord's Supper by kneeling, and keepe Yule-day, as the king had commandit, answeired, he refused, as not being persuadit by anie reason that ever he saw, and was sorie in his heart the king's Majestie sould urge him with anie thing he could not be resolved in conscience to doe." Heir I spake something of the king's minde, as not notorious. It was answered, it was shewed by proclamation at the Mercate Crosse. I replyed, it was a small warrand.

St Androes. "Remove you, and ye sall heare what sall be decerned." I removed, and efter a little while, called in againe.

St Androes. "Ye are deprived of all function of the kirk, and within sixe dayes to be confynned in Dundie."

Ans. "It is a verie summarie and peremptorie sentence. Ye might have advised better, and heard what I wold have said."

St Androes. "Ye sall be heard."

Ans. "By your good leave then, let me speak in plainness. I remember Mr James Nicolsone being at our synod in Dysert, the

last time he was in Fife, sundrie of the counsell being present, things were craved, and that in the king's name, albeit these now were scarselie suspected. The brethren in publict distracted, and reasoning and alledging *pro et contra*, there was a privie conference appointed for working concorde. At the which, myself being one, the forsaid lords being present, the purpose being layde doun by Mr James, by way of great regrate and greefe, that so gracious a king sould be so mett, as refused of his just demands, brethren intending concorde so hardlie interprete, etc.; my answeir was then, and my petition, as it is now, that ye wold consider wiselie what were the meetest way to pacifie the troubles of this kirk, and that sould worke his Majestie soundest contentment, and speciall honour; viz., to regaird us ministers as his naturall and loyall subjects, giving us the commone benefite of the lawes of the land, which was, not to force us to anie point *brevi manu*, but to deale with us by reasone; and if it overcome us, then we behoved to yeeld. We were thought in the land men of judgment; brought up by our parents at schooles; could reason, and give account of our doing, obeying, and not obeying. 'Thus ye, (said I to Mr James,) and the rest dealing for his Majestie in maters of the kirk, sall procure his Hieness' honour and contentment, your owne credite and confort: otherwise, to force us with violence of horning, wairding, as now, depriving, what honour to the king, or credite to you? In all our sufferings, we will be the more confident.' Mr James acknowledgit this, and the lords present consenting thereto, and promised it soulá be so: And so craves of you.

"Besides, what was Mr James his judgement of this English conformitie, the king's supremacie, this episcopacie, I can testifie to have beene such as mine owne is now, as in God's presence I lie not. And what was his judgement before his death, and what his greefe for the things he saw then approaching, there are can witness, and has witnessed.

"I doubt not ye remember at the Assemblie of Dundie, and efter at Montrose, the mater being moved of the commissioners,

what were the pretences for the kirk's benefite, to have some men of wisdome indowed with competent rents knowne to his Majestie, and so, having accesse to deale for the brethren's benefite and confort; for kirks planting, ministers provyding, counsell and lawes assisting the worke, &c. How all this was suspect by some brethren, fearing and foreseing this episcopacie and Englishe conformitie: with what protestations and oaths this was denyed, brethren suspecting blamed, and hardlie used for this wairning. Now, what falls out, and how truelie they suspected, and what was meant indeid, thir things shewes.

"Suppone, I pray, it had been said to you, 'Sirres, the time will come ye will sitt as great lords, clothed with strange authoritie and majestie; call and conveene, judge and condemne your faithfull brethren, casting them out of their ministrie, and exposing them to the outmost contempt of the world, for not kneeling at the Communion, for not keeping Yule;' what wold ye have answeired?

"Remember farther, into what blame and slander ye bring the kirk, as to be reproached of all the kirks of Europe, for our inconstancie, and falling from our profession; and how this cannot but upon a verie necessitie follow us, and is brought in by you. We were in a most happie unitie: ye separate from us, and as ye doe, so ye maintaine your doing against us with all ye can, justifying yourselfs, and condemning us as seditious, disobedient, disloyall, proude, foolishe, standing for trifles with so gracious a prince, pleasing and following the foolishe multitude, seeking a praise to ourselfs. Againe, we cannot be silent thus so hardlie used in word and worke, drawing against us the sword of authoritie. We are forced to pleade against you, and so proclame to the world, that some of us baited with the honour of the world, and profite therof, ambitious, worldlings, men-pleasers, has start from us, snaires us by their doing, exercising all violence and iniquitie against us. Some will trow you, and some will trow us, and so discredit to our kirk, and the workers of it."

St Androes. "Indeede, ye sett out your pamphlets against us, and darre not vowe them."

Ans. "That is, becaus of your violence, otherways we sall vowe them to the whole world. I compare you and us to some societie, as sixe or seven, of whom the one half sayes of the other, they are theeves; these againe of them, they are murtherers. Are not all guiltie by their mutuall testimonie? Thus ye bring guilt upon us and your selfs.

"I appeale you before the Lord Jesu, as ye sall answeir to him in the day of visitation; lay these doings with that then. Ye are now masters of the Assemblie, and has gott the scourges in your hands, to cast out buyers and brockers out of the house of God. Foresie what ye sall answeir to him for this doing. If ye hope then to have the confort of this, as a worke weill pleasing his Majestie, and may thanke him that ye have cast out Mr Johne Scrimgeour, and others like, out of the Lord's vineyaird, as idle and ill workemen, and if then, the favour of men may ease you."

St Androes. "That will not doe your turne now," or, "That will not helpe you:" some suche word.

Dunkeld. "I pray you, advise till efter, and take better resolution."

Ans. "Are ye sitting there to deprive me of my ministrie? Ye sould advise better."

Dunkeld. "In good faith, I cannot helpe it."

Galloway. "Mr Johne, we have done for you, and I have done for you, and ye will be wilfull, and keepe a schisme in the kirk."

Ans. "What ever did ye for me, I thanke God, I was als able to doe for you. As for my keeping a schisme, ye doe wrong to say so. Ye sall not be able to quyte you of it. We were all in a sound walke in the trueth: ye have leappen from us; ye make schismes."

St Androes. "I grant we were weill, if it had pleased the king, who must be obeyed. And when otherwise it sall please his Majestie, I sall returne to my former doing."

Ans. "From your words I prove we are ill now; for if weill, (if

wise,) we wold hold so; for he is wise that is weill, and can hold him so. This change from good is ill, being contrarie to the former; kneeling to sitting, keeping of days to not keeping.

"As for the king, I professe not to scanse his power. But of his Christian minde and resolution, I can beare testimonie, having sometimes place to reasone with his Hieness, and of this same point of his interest in the maters of God, wherin I professed Christ, Sovereigne and onlie director of his house. 'Your Majestie, (said I,) subject to him, but in rowme and dignitie nixt to him.' His Hieness answered, 'I sall never challenge place nor power beyond that, to direct anie thing anent the maters of God.' And seing I have had place to tell other men's maters to his Majestie, and could, I may say truelie, have climmed to these great preferments, I wold requeist you of your love and brotherhood, to be more favourable interpreters of his Hieness' minde towards me, and us your brethren, than thus to expose us to the contempt of the time, and others hurts and inconveniences."

St Androes. "I tell you, Mr Johne, the king is Pope now, and so sall be."

Ans. "It is an evill [title?] ye give him."

St Androes. "This cannot stay the sentence."

Ans. "Then take in my reasons in writt:" and I gave them out of my hand, which he redd at leasour. They are those following:—

"1. The reasone of the censure being from Perth Assemblie, giving it be lawfull which yit is disputable, yit the sentence of geniculation was *sub forma consilij, et non præcepti; et traditio ecclesiastica sub forma consilij, et non præcepti, libera esse dicitur.*

"2. What was consented to was plainlie protested to give satisfaction to his Majestie, and not to snare anie brethren.

"3. For geniculation the reasone was alledgit for the prayer's caus, which yit is left frie to stand or sitt at it: *Ergo,* Meikle more sould the other be frie.

"4. The Assemblie setts doun noe expresse forme of ministration of the Lord's Supper, observation of holie dayes, at least noe warrand of anie of the formes practised where alteration has taken

place. Neither is there anie warrantable forme directed nor approven by the kirk beside that which is in print before the Psalme Booke, according to the which, likas I have always done, so now I minister that sacrament.

"5. The said Assemblie having onlie and properlie power to appoint convenient censurs against the controveeners of their owne acts and constitutions, has left the same frie of all sanction, paine generall or particulare. Likas manie of the affirmative voters solemnlie declared, that if they had knowen anie hard censure to pas therupon they had never voted to anie such constitution.

"6. According to the rule, '*Ejusdem est extegui, cujus est condere,*' it has beene the custome of all lawfull councels, and inviolablie observed by the Generall Assemblie of Scotland, that they in their meetings has execute their owne acts, or, as occasion has required, committed the execution of the same to certane commissioners authorised to that effect, presbyteries or provinciall Assemblies, and has never given place to that Papall pride, *Ad canonum virtutem, ordinem, interpretationem, dispensationem, &c. requiritur Papa; ad infallibilitatem decisionis, Concilium.*

"7. As there is noe censure ecclesiastick appointed in the cases above specified, so is there noe act of parliament ordaining punishment for the alledgit transgressions libelled: but by the contrarie, diverse acts of parliament, allowing and commanding his Hienes' subjects of this kingdome to receive the sacraments, keepe dayes efter the maner observed by us.

"8. The constitutions of this kirk in their due tenors and full extent, viz., anent the conclusion of a particular mater, the penaltie against the contraveeners of that conclusion, and the execution therof, plainlie and properlie proceeds from one and the same authoritie, viz., of lawfull consent of authorised commissioners orderlie mett for holding an Assemblie. Neither is there anie lawfull power before them for making, establishing, and executing constitutions of that land; meikle lesse may or sould some few number of a Generall Assemblie, efter dissolving therof, eike, alter, impair, or presume to execute their acts without their owne warrand.

"9. As I have received my ministrie by the lawfull order of this kirk, and by solemne oath and promise, given at my admission, has submitted my self to the Generall and Provinciall Assemblies and presbyteries as judges ordinarie to allow my proceedings, correct my faults if anie be, &c.: so I stand most humblie submitted to his Majestie and the said Assemblies *respectivè*, and of reason ought to be judged by noe other in the particulare libellit."

St Androes. "Take up your reasons againe." And so delivered them to me, and wold not ingrosse them in the processe, saying, "If ye will not conforme, I cannot helpe it. It is against my hart: the king must be obeyed. The lords has given the sentence, and will stand to it."

Ans. "Ye cannot deprive me of my ministrie. I receaved it not from you: I receaved it from the whole synod of Fife, and for anie thing ye doe, I will never think my self deposed from it." I craved transportation from Kinghorne, if the place offendit, by the neernes to Edinburgh.

St Androes. "Indeid, Mr Johne, I will be a Papist in that. The order of the minister has *character indelebilis*. But ye are discharged onlie of the present function of it. But whenever it sall please the king, ye may use the same without anie new imposition of hands. As for your transportation, that may be efterward upon your good behaviour, but cannot be now."

Ans. "Then receive this, and reade it." And I gave in this protestation:—

"Protests before the Lord Jesu I get manifest wrong, my reasons and allegations not considered nor answered: And attests you before his glorious appeirance to answeir for this, and such violent and wrong doing, thus maliciouslie and fraudulentlie oppressing me; and plainlie protests my caus sould been heard, as I pleadit, and pleads; and challengs *exceptionem fori, ad legitimum forum et judicem*. Lik as I appeale the Lord Jesus his eternall Word, the king my dread soveraigne, his lawes, his kirk, constitutions, kingdome, counsels, and assemblies of both, and that I stand minister of the Evangel, and onlie by violence am thrust therfrom."

St Androes. "Ye must obey the sentence pronounced."

Ans. "For Dundie, it is farre of, and I am not able for farre journeys, as phesicians can witnes, if neede be; and litle wait ye what is in my purse."

St Androes—Galloway. "The constable is there, and Doctor Lindsay, with whom ye may conferre."

Ans. "I purpose not to scaffe[1] my meete at my cheese, nor am I now to learn at Doctor Lindsay."

St Androes. "Then where will ye choose your confining?"

Ans. "At a litle rowme of my owne, Bowhill, in Auchterdeere paroche."

St Androes. "Then weyt at Bowhill during the king's pleasure. But it is neere Mr Johne Chalmer."

Ans. "It is farre enough from him."

Mr Johne Scrimgeour continued teaching in Kinghorne, notwithstanding of the sentence of the Hie Commission.

MR G. GRIER, MR J. PORTEOUS, MR J. HOWIE.

Mr George Grier his name was scraiped out of the summones, at the Earle of Melrose's desire; Mr James Porteous, minister at Laswade, was suspendit till the nixt Assemblie, becaus the bishops feared that the people wold communicate with him at Easter nixt; Mr James Howie, minister at Dumbar, gave in some reasons which he sent before to the meeting at St Androes, inlarged. The bishope undertaketh to answeir his reasons betuixt and the Pashe; but his answeirs were so frivolous, that Mr James was confirmed in the trueth.

Upon Tuysday the second of Marche, the Bishope of St Androes, before he came to the Hie Commission, went to the counsel, and purchased a warrand to the guard, to apprehend an Englishe preachour, named Mr Hubert; but he was convoyed out of the way. When he came to the Hie Commission, Mr Johne Weyms,

[1] Extort.

Mr David Howie, Mr Samuel Sincler, Mr Alexander Kinneir, Mr Alexander Smith, Mr William Meffane, Mr Alexander Home, Mr James Daise, Mr James Burnet, Mr Francis Collasse, Mr Johne Clapperton, ministers in Marche and Lauderdaille, compeired. He urged them with conformitie, and reviled Mr Andro Ramsay, minister at Haymouth, howbeit absent, becaus he had celebrate the Communion conforme to the laudable practise of our kirk the Sabboth preceiding. They refuse. The bishope in great passion sayeth, "I will divide you in thrie ranks: some of you have been ministers before I was bishope; ye looke for favour, but leane not too much to it, least ye be deceived. Some of you I have admitted, and ye subscrived to things alreadie concludit, and to be concludit. Some of you, at your transportation from one kirk to another, have made me the like promise. I will continue you all till Easter, and in the meane time, sie ye give not the Communion. There is," said he, "a banished minister, called Mr David Calderwode, who is not content that he be banished, but still provoketh the king to harder dealing. It is to be feared, if the king understood where he is, he will send for him." Upon Fryday the 3d of Marche, he sent for Mr Johne Weyms, and the moderators of the thrie presbyteries, Dunse, Chirnsyde, and Ersletoun, and had a long speeche unto them. "Ye sie," said he, "what a fire is in our kirk. Ye that are grave, wise, learned men, wold doe weill to give good exemple, and yeild to some things for the king's pleasour, if it were but to make your tables short, and to give the elements out of your own hands." Mr Johne Weyms answeired, "That were as evill as kneeling, for that were to doe directlie against the institution; therfor we will never doe [it."] Then said the bishope, "Doctour Lindsay's booke now come forth, will resolve you of all these things." Mr Johne answeired, "It had beene good he had not written anie thing, for he shames himself, and never brings argument nor reason for him." "He purposed to have written noe more," said the bishope, "were not that knave, who now is lowppen over sea, with his purse weill filled by the

wifes of Edinburgh, had written Perth Assemblie. It had been good it had never been written. Seing I can obtaine nothing at your hand, grant me this one thing, that ye will be quyet, and not hinder others who have promised, sworne, and subscribed." They made litle answeir.

PATRIK CONE APPREHENDIT.

Upon the 8th of Marche, Patrik Cone, sone to the Goodman of Auchrie, servitour to the Earle of Erroll, was apprehendit in Leith by the baillies. He had latlie come out of France, and refused to open his chist to the customers. The customers opened it, and found in it sundrie Popishe treatises and works, and diverse missives directed to sundrie noblemen, and others of inferiour ranke; and amongst the rest, one to the Clerk of Registrie, Sir George Hay, now Chancelour. He was presented before the Lords of Secrete Counsel the day following, with his packalds and books. One of the packalds was directed on the backe to the North, another to the South. The letters within were looked upon in the backs, but not opened. The man, howbeit, professing himself a Papist, and occasion was given to make farther searche, was dimitted with the letters, and noe more done.

MONSTERS BORNE.

Upon the 14th or 15th of Marche, a woman in Leith was delivered of a monster, which from the waist up was well proportioned, but from the waist doun had the forme of a fishe, with a taile. The monster was either dead borne, or died soone efter. About the same time, the belman's wife of Leith was delivered of a bairne having two heads, and thrie armes, both the heads breathing life, and uttering a small, weake, murning voice. It expyred within 24 hours efter the birth.

SIR JAMES MAKCONNELL GETTETH REMISSION.

About this time, sure report was brought from court, that Sir James Makconnell had gotten his remission under the Great Seale, and a remission to the Laird of Makdonnald, who convoyed him out of the Castle of Edinburgh, when he brake waird, and fledd to the archduke. It was thought strange, that such an oppressour and murtherer of men under trust, and speciallie of that worthie and valiant man, Makclene, howbeit not verie gracious to the king, sould have gotten such favour.

Upon Tuysday the 28th of Marche, Mr James Law, Bishope of Glasco, assisted with the Bishops of Argile, Galloway, and Dumblane; and ministers, Mr Thomas Muirheid, Mr James Hammiltoun, Mr Archibald Hammiltoun, Mr David Shairp, Mr Daniel Cunynghame, Doctor Whitfurd, minister of Moffet, and Doctor Hay, minister at Peiblis, held a court of Hie Commission in Glasco. Mr Robert Scott, minister of Glasco, Mr William Livingstoun, minister at Lanerck, Mr Johne Fergisone, minister at Ochiltrie, compeired before them. Mr James Inglis, minister of Dalie, was excused by reason of his infirmitie, by a testimoniall sent from the presbyterie. The bishope hardlie accepted the excuse, but Mr James resolved to compeir efter.

Mr Robert Scott was first called. * * * *

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THE PROCEEDINGS OF THE HIE COMMISSION AGAINST MR W. LIVINGSTOUN.

Mr William Livingstoun was called on. When his libell was redd, he alledgit that he was not lawfullie cited, becaus that a convenient time was not granted to him, to advise upon an answeir at his compeirance. A commissar, for a trifle of geare, will give sixe days' leasure; but he was cited upon Satterday, was to preache

twise on the Lord's day, and was to ride to Glasco upon Monday. But they wold not admitt this exception. They urged obedience to the articles. He plainlie refused to have adoe with them, or with their course, which he affirmed to be defective and offensive. They urged him to take a time to advise. He refused, becaus he doubted not, and wold not dissemble to weaken others. They urged him with the authoritie of the Assemblie. He answeired, he was not bound to doe good for that Assemblie, much lesse evill; he wold doe good, becaus it is goode, but not for it. "What can ye say against the Assemblie?" said the bishope. "It was neither frie, nor full, nor formall," said Mr William: "It stoode not," said he," of such as had power to inact; and I thank God, I saw it, and the proceedings of it: the neglecting of lawfull commissioners that gatt noe vote, the taking in of others who had noe commission." The bishope seemed to misknow that, and the rest of that kind. When they proceedit to the sentence of deposition and confyning, he answeired, that their sentence came not from a just power, was not for a lawfull caus, nor deduced efter a right maner; and if the Assemblie had been a lawfull Assemblie, as it was not, yit none might execute the acts of it, but either it self, or such as had a commission from it. But they that satt were neither the Assemblie, nor had or could shew a commission or power from it; and therfore might not execute the acts of it, farre les inflict a punishment which was not in the act, nor was not the mind of the Assemblie. He declined their judicatorie, as the other two did.

THE PROCEEDINGS OF THE HIE COMMISSION AGAINST MR JOHNE FERGISONE; SETT DOUN BY HIMSELFE.

"At Glasco, the 28th of Marche 1620, the clerk, Mr Edward Mairshall, having redd the summones, the bishope desired me to answeir. I first protested, that they wold heare me patientlie, beare with my weaknes, and tender the tendernes of my conscience; which being promised, I shew them, I was called to the

function of the ministrie unlooked for by me or anie; I had found the blessing of God upon my labours; I had felt what an evill and a good conscience meant, in some measure; and somtimes had tasted of the terrours of my conscience, which maks me now, that I darre not for my life medle with a jote in anie thing against my light. How I was brought before this judicatorie, I said, I knew not; whether by the hand of God or the malice of men. As for men, I had done them noe wrong. I had walked singlie in my calling, as I could, without offence till anie. Therfore I tooke it as the Lord's call, shooting me furth at this time, howbeit weake, to beare witnes to his trueth, and to this caus, which I was willinglie and freelie to give; and therfor to testifie there, I misliked the whole course, and all these things in it: my conscience could not approve them, neither could I practise them.

"This being premitted, they urged me to answeir peremptorlie to the summones. My first answeir was, I was not holden to answeir, in respect I was not lawfullie cited. I was demandit, when I was cited? I answeired, 'Upon Fryday.' The bishope replyed, it was sufficient; yea, howbeit he had summoned me yesternight, if he had been in the toun. I answeired, was thrie days sufficient, in so great a mater as deposition from a ministrie, the flocke neither cited, if they had ought to alledge against me, as edicts were served at my admission? The archbishope replyed, it was neidles to cite my flocke: I was summoned for my owne fault, and not for theirs.

"In end, they repelled this answeir, and urged me to give reasons why I wold not conforme. I shewed them I was not come there to reason; it was a mater belonging to a whole kirk. The bishope objected against my light, that it might be erroneous. I replyed, it might be so, yit my light behoved to warrand my conscience. The bishope demandit, what light I had by their light? I replyed, it might be their light was great, mine weake, and therfor I requeisted them to beare with my weaknes. He called to mynd our refusing to reasone in a synodall assemblie, which I acknowledged was true, that it was not pertinent to a

provinciall, to dispute that which belonged to a nationall assemblie. In end, the bishope demandit, if I wold let him sie anie Scripture wherin I was forbidden to kneele. I told him (*ut antea*) I come not to dispute. The Bishope of Galloway urged me more straitlie by discourse, what reasone I had for me not to conforme. I answeired him, it was sufficient to me, howbeit there were noe more to bear me out, that thir things were scandalous, unexpedient, destroying the thing which we were building, turning from a better to a worse. To the which, he incensed, made this reply: if I teached that doctrine to my people, he wold affirme that my doctrine was pernicious doctrine. To the which I replyed, if there were anie there that wold challenge my doctrine, I wold stand to the defence of it, for I had taught the Gospell of Christ in puritie, as I could.

"Efter this, the Bishope of Glasco urged me to give in some other defence, for the former was not relevant. I intreatted him to spaire me, to tender my weaknes, and to accept of my former answeir. At which time, (how it came in, I remember not,) this question was amongst us, The things were not maters of faith. To the which I replyed, they were maters of conscience, and by consequence maters of faith; and I cannot find how a man can keep the faith, and tyne a good conscience. The bishope replyed, these two were different, not one. I answeired, yitt they were knitt together, and so the one cannot be without the other. I was urged againe to give reasons against thir particulars. *Ut antea*, I answeired, I wold not reasone. Upon the which, the Bishope of Glasco tooke occasion to say, 'Truelie, Mr Johne, I must tell you, by all your reasons, I find you the shaldest man that ever I had to doe with:' and the least wind of reasone in a strong man's hand wold ding doun all that I had to say. I acknowledged my weaknes, and requeisted them all to tender my conscience. Efter that, he said, that conscience, if it were not erroneous, wold cause me obey my superiours in kirk and commonweill. I answeired, conscience band me to obey God, and my superiors in God; yit I behoved to obey God rather than man.

"I was urged in end to goe to some other defence. I requeisted them oft to spare me, and urge noe farther, whill in end I was constrained to give my second defence, which was, that seing the mater was ecclesiastick, and I was obliged in the discharge of the duties of my calling to the assemblies of the kirk, therfor I was urged to decline their judicatorie as unlawfull, in maters concerning my calling; therfor, I declined their authoritie. The Bishope of Dumblane replyed, 'It is an appellation, Mr Johne.' 'I know,' I answeired him, 'it was a direct declining of that seate, as no direct judge to my calling.' The Bishope of Glasco bade me cast doun my declinatour, which I did. The Bishope of Dumblane requeisted me not to doe so, in regard I wold incense the king's Majestie against me. I told him, it was sore against my heart to give offence to anie one. I was urged to subscryve it, as I did frielie.

"In end, the Bishope of Glasco required me, if I had aught more to say. I prayed him and them all to construct all I was doing in good part, and in end, to be warre to medle with my calling; doe with my persone as it pleases them, as they wold be answeirable to the eternall God. 'Weill,' said the Bishope of Glasco, 'Mr Johne, ye commend us to the judgments of God; we will commend you to the mercies of God.' I answeired, 'I pray you mistake me not; I commend you not to his judgments. I tell you, ye must be answeirable to his judicatorie, how ye doe with me.' To the which the Bishope of Glasco replyed, 'We will be doing in the meahe time.' In end, they desired me to remove. In my removing, I requeisted them all to consider what I had said; I desired God to give them light; and prayed them to take heid what they did, as they wold be answeirable to God. So we were all remitted till efter noone.

"In the efternoone, I was cited to heare the sentence, which was pronounced by the Archbishope of Glasco, which was deposition from my ministrie, and wairding. To the which sentence I answeired, first, I did not acknowledge their deposition, as I had not received my ministrie from them. Wherupon they tooke occa-

sion to demand if I wold then exercise my ministrie. To the which I answeired, als long as anie wold heare, (God willing,) I sould teache. The bishope with terours minassed me, that if I did, he sould send up my name to the king's Majestie, and bade me expect the straittest punishment of the law. Tuiching the second part of their sentence concerning my wairding, I acknowledgit the king's power over my persone, and therfore willinglie submitted my persone to his Majestie, to doe with it as seemed good to him, and such as had authoritie from him."

THE COPIE OF THEIR DECLINATOUR.

"In respect the fault libelled concerns my office of ministrie, which I received by the lawfull ordour of this kirk; and by solemne oath and promise given at my admission, has submitted my self to the Generall and Provinciall Assemblies and Presbyteries, as judges ordinare, either to allow my proceedings, or to correct my faults, I stand most humblie submitted to his Majestie and the said assemblies *respective*, and by reason, ought to be judged by noe others in the particulars libelled. Therfor, seing it has been the custom of all lawfull counsels, and inviolablie observed by the Generall Assemblies of Scotland, that they in their meetings has execute their owne acts, or committed the execution therof to certane commissioners: And seing the alledgit acts containe noe paine, or hard censure to follow therupon; neither has the Assemblie given power to commissioners to execute these acts; neither is there anie act of parliament, ordaining punishment for the alledgit transgressions libelled, but by the contrare, allowing and commanding his Hienes' subjects of his kingdome to preache, and receive the sacrament efter the maner observed by us: Notwithstanding wherof, the libell threatens not onlie deprivation of all function of the ministrie, but punishment by other censures and paines that may be imposed by vertue of the Hie Commission: Further, his Majestie and Thrie Estats, James VI., *parl.* 8, act 131, discharges all judgments or jurisdictions, spirituall or temporall, which are

not approven by his Majestie and Thrie Estates conveened in parliament, and decerns the samine to cease, whill the nature therof be first seene and considerit by his Hienes, and his said Thrie Estats conveened in parliament, as said is, and be allowed and ratified by them: Certifying them that sall proceede in using and executing of the said judgments and jurisdictions, or in obeying the same, not being allowed and ratified as said is, they sall be repute, holden, callit, persued, and punished as usurpers and contemners of his Hienes' authoritie, in exemple of others. And true it is, that this commission was not approven in parliament, notwithstanding one parliament interveened since it was first used. Thairfor, what ever censure ye may incurre for using, I wold not incurre the like for obeying. For the reasons forsaide, and others to be eiked, if neid be, I DECLINE the said commission, as noe wayes competent judges in the case above specifyed; and humblie submitts my self to be judged by the lawes of the Generall Assemblie."

Mr Johne Fergisone was ordained to enter in waird in Perth. Mr Robert Boyde, Principall of the Colledge of Glasco, and Mr Johne Chalmers, his brother-in-law, intreated the bishope for an ease of his waird. The bishope consented, provyding he ministered not the Communion the nixt Sabboth-day to the rest of his parochiners who had not communicate the first day. But he went home, and ministered the Communion. Mr William Livingstoun was ordined to enter in waird in Minin Abbey. He went home, and offered the Communion to his flocke: they refused, fearing to be cutt of from all benefite of his ministrie. Mr Robert Scott was continued till efter Pasche, at the earnest solicitation of the people of Glasco.

THE KING'S DIRECTION TO CONFINE CERTAN CITIZENS OF EDINBURGH.

Upon the penult of Marche, the king gave out this direction following, to confine certane citizens of Edinburgh, for incouraging

troubled ministers when they were cited before the Hie Commission :—

"Right trustie and welbeloved Cousines and Counselours, and right trustie and welbeloved Counselours, we greete you weill.—Wheras diverse of our burgh of Edinburgh, out of a peevish humour, in contempt of good order, leave their ordinarie pastors; and following deprived or silenced ministers, receive of them the Sacrament: We have conceived a most just indignation against them, which we deferre to expresse by anie exemplarie punishment, hoping that at this approaching Easter their conformitie to good order sall testifie their amendment. But in respect there be some who continuallie assist the refractorie ministers in all their disobedience, and spare not to countenance them in all their publict doings, yea, even to accompanie them, when they are cited before our Hie Commission, therby incouraging them to stand out against the orders of the church, in contempt of our authoritie: And although we have so long had patience with them, as to expect, that by lenitie and admonition they might have been reclaimed from their rebellious humour, and reduced to an obedient and duetifull kind of behaviour: Yit seing lenitie prevails not with them, we have thought good by thir presents to will you to remove the specialls of these evill weads out of that feild; and send William Rigge, merchant, and James Cathkine, unto Caithnes; Richard Lawson to Aberdeene; Robert Meiklejohne, skinner, to Dunkeld; Johne Meine to Wigtoun, in Galloway; and Thomas Inglis, skinner, to Montrose: Willing and commanding everie one of them not to exceede the bounds to him limited, without our speciall warrand, under all highest paine and punishment. The like course we intend to take with others who sall be found culpable of the like offence. And not doubting of your care in the premisses, we bid you fairweill.

"Given at our Mannour of Theobalds, the penult of Marche, 1620."

SOME SPEECHES UTTERED BY THE BISHOPE OF GLASCO, IN SERMONE, BEFORE HIS DIOCESAN SYNODE AT GLASCO, THE 4TH OF APRILE, UPON JOHNE ii. 17.

"This house elswhair is called holie. The Lord calls his montaine a holie montaine. Then I wold speare, wherfor may we not call a day holie, that is appointed for preaching and prayer, seing his house is called holie, for the holie use?"

Upon zeale, he said, that where the zeale of the house of God eate up Christ, now the zeale of people in thir dayes eattes up the kirk. That as Christ was crucified betuixt two theevs, so is his kirk now, betuixt Papists and schismaticks.

"The zeale now is blind, and for by-respects, that they may gett credite with people, and the purse filled, as Judas gatt the bagge. And as Diogenes wold be singular, and bath in snow and water in winter, that the people come flocking about, pityand and cryand, 'Come out!' but Plato, more learned nor himself, said, 'Goode people, goe home; let him alone, and he will come out of will;' they will say," says he, "that they suffer for righteousnes, even as Dioscorus, when he suffered for hæresie, cryed out, 'I suffer for righteousnes' sake!'"

He said, it faireth best with the kirk when philosophers were princes, and princes philosophers, and godlie prelats hang at princes' eares like precious jewells.

He tooke God and his angels to witnesse, that the things in question in our kirk were neither commandit nor forbidden in God's Word, but left indifferent, and might lawfullie be done. He tooke it upon his salvation, that they were but trifles that all the strife was for; and that the pamphletter's pamphlete, (meaning the Nullitie of Perth Assemblie,) that called kneeling Idolatrie, was but a fals lie.

He compaired manie to Avicennae's maide, that from her young yeirs was fedd on poyson, and it hurt her not. But wherever she came her breath was pestiferous, and infected others.

He said to the full assemblie, "Ye sie how some are handled; looke for the like if ye obey not. And for me, what I doe in thir I sall never repent; and I hope in God I sall never repent it."

He wold not yeild to the synod's requeist for the deprived ministers, who were deprived some few days before, to strike a terrour in the assemblie. When he said to Mr Robert Scott, "Ye will resolve better;" he answeired boldlie in the face of the synode, he was resolved alreadie, and desired him not to looke for anie other resolution of him. Whether at this assemblie, or at another before, I am not certane, he said to Mr James Inglis, minister at Dailie, if he conformed not, he sould close his mouth, and banishe him the king's dominions. Mr James answeired, "I sall be als readie by God's grace to suffer, as ye sall be to persecute, and one day will make manifest whether ye doe weill or not." The bishope answeired, "We sall be doing whill that day come." The like speeche he used to Mr Johne Fergisone, and at another time to Mr Thomas Hogge.

PREPARATION IN EDINBURGH FOR EASTER COMMUNION.

Upon Thursday, the sixt of Aprile, Mr Patrik Galloway desired that the elders and deacons conveened in session might be asked what wold be their part in the celebration of the Communion at Easter. William Rigge, one of the cheefe citizens of Edinburgh, being asked, he asked againe, Efter what maner wold they minister it? Mr Thomas Sydserfe, moderator, answeired, "Efter what maner ye please to receive it; sitting, standing, or kneeling." "Then," said William Rigge, "for avoiding of confusion, let a tyme and place be appointed for these to whom ye will give it sitting." Mr Thomas cried out, "O thou monstruous schismaticke! can thou tell what a schismaticke is? I will examine thee presentlie." William Rigge riseth, and answeireth coldlie, "I am readie to be examined." "O," said Mr Thomas, "thou art an ignorant; thou art not worthie of the place thou art in." William answeired, "It is true, Sir, I am not worthie of my place; and I trow, Sir, ye

think your self unworthie of your place also." Mr Thomas was so ashamed of his owne misbehaviour, pride, and bitternes, which had caried him so farre out of the way, that he craved God and him mercie upon the Satterday efter, and promised never to doe the like. Some of the elders promised to come; others to come, but not to communicate. Two or thrie of the deacons promised to serve. The ministers appointed another meeting the morne. The baillies joyned with the ministers at that nixt meeting, and again the ministers offered to give it to everie one sitting; but concealed that they wold give the elements out of their owne hands. Upon the Sabboth-day following, the ministers offered publictlie to give the elements to the communicants sitting, standing, or kneeling. Yit Mr Patrik Galloway affirmed, that if it were given to his choise he wold take it kneeling rather than anie other way, becaus most confort was to be had that way: it was the humblest maner, "and we have the best warrant for it," said he; and cited for his warrant the 95 Psalme, and Philipp. ii., and the kneeling of Christ in the garden, when he swatte bloode. Upon Tuysday, the elleventh of Aprile, the citizens being conveened according to the custome, some of them desired that the communicants might be suffered to distribute the elements among themselfs. The ministers answeired, it lay not in their hands to grant that. Then some of the citizens protested they wold not receive it efter that maner.

EASTER COMMUNION.

Howbeit the ministers made offer in the session, and in the pulpits, to give the elements to the communicants sitting, yitt did they frette within themselfs at such as satt, and Mr Patrik in a maner threatned them. He staired a simple woman in the face, when he was to give her the elements; the woman being dashed, went to her knees. He gave the thesaurer a shaive[1] of breade; the thesaurer made it to serve other five that were nixt him. Mr

[1] Slice.

Patrik perceiving his owne errour, wold have given everie one of them the element of breade againe; but they answeired, they were alreadie served. When Thomas Aldinstoun's wife had divided that part of the breade which she had gotten, Mr William Struthers, ministring in the Colledge Kirk, pulled it out of her hand as she was lifting it to her mouth, and gave her a portion out of his own hand. The most part of the communicants in the Old Kirk were the Lords of Counsel and Session, and their followers. There were about sixteen hundreth communicants in the Colledge Kirk, where the ministers served from ten hours efter the sermon was endit, till four efternoone, wearied more with corporall service than spirituall exhortations. None kneeled but about twentie persons. It was thought that they had gotten none to kneele in their kirk, if they had not brought out the poore out of the hospitall, to begin, and give goode exemple. Being aged, poore, and ignorant persons, they durst not refuse. Sundrie of them, when they were kneeling, knocked on their breasts, lifted up their eyes and hands. The last day of the Communion onlie sevin kneeled, of which number were Mr Patrik Galloway's wife, and her daughter, Mr Alexander Cumine, a Papist, and two women in Mr Pape's house, another Papist.

Mr Patrik Galloway's idle speeches and frivolous reasons in his sermon upon Easter-day, procured these lynes following to be sent to him:—

A LETTER TO MR PATRIK GALLOWAY.

"I received information of your Pasche preaching, but sounding more to warre nor peace, which I trust ye will not seale with your bloode. Ye provoke, as Golias, all other wise myndit, to answeir your strong arguments, or rather stroe[1] arguments. I have examined them; your precept, your prophecie, your band and debt, and your last munse. And truelie, I will not put pen

[1] Peevish.

to paper, to answeir one who has neither Logicke nor Theologie; and, therfor, I wold give you a Letter of Marke, to say what you please. But one thing I will say, that as in the pregnancie of your youth ye stirred up the lords against the king at the Raide of Riven, so in the dottage of your age ye wold stirre up the king against the Lord's servants, both pastors and people. But I trust ye sall gett your wages; that is, an ill conscience, that sall beate you to the end, and the king sall give you noe thanks. So I rest, praying God to be mercifull to you, if it be possible."

WILLIAM RIGGE, RICHARD LAWSONE, &c., CHARGED TO WAIRD.

Upon the 25th of Aprile, William Rigge, James Cathkine, Johne Menie, and Robert Meiklejohne, skinner, burgesses of Edenburgh, were charged to enter in their severall wairds or confinment, without citation, tryall, or conviction before the counsel, onlie for satisfaction to his Majestie. When that mater was proponed in counsel, Chancelour Setoun said, they could not proceede so inorderlie, for it was neither reasonable nor according to law. The president, Secretarie Hammiltoun, answeired, "My Lord, ye must not frame the question so. It must be framed in these termes, 'Whether will ye give obedience to the king's letter or not?'" So the act was made without contradiction. Johne Inglis escaped, becaus he was named Thomas in the king's letter. None were suspected of giving up their names to the king but the ministers of Edinburgh. There was noe caus knowne wherfor Robert Meiklejohne was charged with the rest; but becaus he satt at table the last yeir, when Mr Patrik Galloway delivered him the element of breade. The coppie of the summones heir followeth:—

"JAMES, by the grace of God, King of Great Britaine, France, and Irland, Defender of the Faith, to our lovitts, Walter Richie, Kintyre, pursevant, messengeirs, our shereffs in that part, &c.—Forsameikle as we are crediblie informed, that William Rigge,

metchant, Richard Lawsone, and James Cathkine, booksellers, Johne Meine, merchant, Thomas Inglis, and Robert Meiklejohne, skinners, and burgesses of our burgh of Edinburgh, doth not onlie assist the ministrie who are refractorie to the order and constitutions of the kirk made and concludit at the Assemblie of Perth, in all their disobedience, and spairs not to countenance them in all their publict doings, but ever to accompanie them where they are cited before the Hie Commission, and therby incouraged them to stand out against the orders of the kirk, in contempt of our authoritie: And although we have so long had patience with them, as to accept, that by lenitie and admonition they might been reclaimed from their rebellious humours, and reduced to an obedient and duetifull kind of behaviour: Yit seing lenitie prevaileth not with them, we are constrained to take the nixt course, wherby othess may be affrayed to fall in the like offences heirefter.

"Our will is heirfor, ye pas, summone and charge the said William Rigge and James Cathkine to addresse themselves to the countrie and bounds of Caithnes, within the space of threttie days nixt efter they be charged by you therto. And also, that ye command and charge the said Richard Lawsone to addresse himself to our burgh of Aberdeene: And the said Johne Meine to addresse himself to our burgh of Wigtoun, in Galloway, within twentie dayes nixt efter they be charged by you therto. And siclike, that ye command and charge the said Thomas Inglis to addresse himself to our burgh of Montrose. And the said Robert Meiklejohne to addresse himself to our citie of Dunkeld, within fifteene days nixt efter they be charged by you therto. And that they remaine and keip waird within the bounds above-written limited unto them, and that noe ways they transcend the saids bounds, without our speciall warrand had and obtained to that effect, under the pain of rebellion, and putting them to our horne. And if they failyie, &c., that ye denunce the disobeyers or rebells, and put them to our horne, and escheate all their movable goods, &c., by thir our letters.

"Given under our signet at Halwind Hous, the 19th day of Aprile, and of our raigne the 53 and 18 yeirs, 1620.

"*Per actum Secreti Consilij.*"

The honest men being informed that the counsel of Edinburgh desired to be acquaint with the mater, they went to them, and presented the chairge; which being redd, they were removed, and called in againe, and inquired if they were frie of the things contained in the charge. They answeired, when the troubled ministers came to the toun, they had companie with them, and walked in the streets with them. It was asked, if they accompanied them to the Hie Commission. They answeired, that they had not done it, but had neglected so good a duetie. The counsel forbade them to speeke anie more of that mater, and laboured to gett a promise of them not to offend in tyme coming against anie thing contained in the charge. They answeired, they wold not make a law to themselfs: if they transgressed anie law, they were lawbyding. Jhone Byres, Jhone Inglis, and Mr Johne Hay, clerk, were directed bie the toun to the bishope, to intreate for them. The counsel willed the honest men to be at the session the nixt day. There the ministers of Edinburgh purged themselfs before the session. Mr Patrik Galloway affirmed, that one of the counsel's self (meaning Mr Johne Hay) had delated their names to the king. Mr Johne purged himself to the honest men, and left the blame upon the ministers themselfs. But neither the one nor the others were to be beleeved. Always, both counsel and session sent to the bishope to intreate him. The bishope seemed to be altogether ignorant of the charge, yit he wrote to the chancelour and secretarie, to supercede farther execution till the first of June; and promised to wryte to the king in their favours, and to take the mater in his owne hand. So they escaped at that time.

A HIE COMMISSION AT ST ANDROES.

Upon Fryday the 21st of Aprile, the Bishope of St Androes, assisted with Mr Johne Weyms, a senator of the Colledge of Justice, the archdeane, Mr Glaidstanes, Doctor Howie, Doctor Bruce, Doctor Blair, held a court of Hie Commission at St Androes. To terrifie the synode, which was to hold shortlie efter, Doctor Barclay was deprived of the exercise of preaching within the diocie of St Androes; Mr David Mearnes was confined in his owne paroche, and commandit not to minister the Communion till Martimes; and to resolve betwixt and that time, or els he needit to looke for no other thing but deprivation: Mr William Areskine was ordained to be confined in Anguse. The archdeane, Mr Alexander Glaidstanes, latelie come from court, reported that the king had sent two letters to the two archbishops, commanding them to goe forward in deposing of disobedient ministers, and threatning to punishe them civillie, that were deposed for non-conformitie.

A DIOCESAN SYNODE HOLDEN AT ST ANDROES.

The Bishope of St Androes held a diocesan synode at St Androes the 25th of Aprile. He said to the ministers conveened, "Seing we are all mett, I will caus these that have conformed censure others that have not conformed." So he went to the calling of the names. But the non-conformitans, efter they had answeired to their names, went out all but seven or eight. The bishope inraged, inquired all these that stayed, and amongst the rest, at Mr David Andersone, whither they had ministred the Communion according to the act of Perth? Mr David answeired, "Not." Then the bishope demandit, what was the reasone? He answeired, "My parochiners will not receive it efter that manner from me." "Is that the Laird of Torrie," said the bishope, "that bade you say so? Tell him, I bade him goe hang

himself." "My Lord, ye are in the wrong to the gentleman," said Mr David; "for howbeit he has land in my paroche, he is not my parochiner. He never bade me say such a thing, nor conferred with me in that mater." The bishope said againe, "Ye may tell him yit againe, I bade him goe hang himselfe. Albeit I were not in the place I am in, I think my self als honest a man as anie baron in Fife." Thus the proude prelate abused that worthie and religious gentleman, Mr Patrik Wardlaw, Laird of Torrie, in the face of a synode. It is observed, that he has this word of hanging frequent in his mouth, both in private and publict: what will be his owne end, God knows, but weill deservs he to be hangit.

MR A. DUNCAN AND MR W. CRANSTOUN DEPRIVED.

Upon the 10th of May, he held a court of Hie Commission at St Androes, and deprived Mr Andrew Duncan, minister at Carailc, whom he had suspendit before in Edinburgh, and an aged minister, Mr William Cranstoun, minister at Holketle.

GRANGE DISPERSETH BOOKS.

About this time, William Circadie, Laird of Grange, dispersed about fourscore coppies of a booke which he himself had compiled against the entrie and usurpation of bishops, and the conclusions of Perth Assemblie. The bishope sent a copie to the president. The president sent a charge to him, to keepe waird in his owne house. But he was noe farther troubled, partlie becaus he was alliaed to the president, partlie becaus he was repute foolishe and phantasticke.

FATHER ANDERSON APPREHENDIT AND EXAMINED.

Upon the 18th of May, Father Andersone, a traffecker amongst the Papists of this countrie, was apprehendit with his masse-cloths,

books, and writts, and was examined upon the 23d of May before the Bishops of St Androes and Glasco, the provest and baillies of Edinburgh, and some of the ministers. He answeired boldlie and directlie to generalls; professed himself to be a preist, and that he had manie times said masse, but would not reveale what houses or compaine he haunted.

COLONELL GRAY IMBARKETH.

About the end of May, Colonell Gray, a ranke Papist, imbarked at Leith with his captans and souldiours, to the number of fifteen hundreth, levied for the King of Boheme's use.

A COURT OF HIE COMMISSION.

Upon Wednesday the seventh of June, the Hie Commission conveened in the Bishope of St Androes' house in Edinburgh. Mr Archibald Simson, minister at Dalkeith, cited, compeered not; but the Earle of Mortoun sent a letter of requeist in his favours.

A PROCLAMATION FOR OBEDIENCE TO THE ACTS OF PERTH.

Upon Monday the 19th of June, this charge following for obedience to the conclusions of Perth Assemblie was published with sound of trumpet at the Crosse of Edinburgh, at the hearing wherof, manie of the people spaired not to say, they understood now what was the price of their conscience:—

"JAMES, by the grace of God, King of Great Britaine, France, and Irland, Defender of the Faith, to our lovits, * * * * * messengers, our shereffs in that part, conjunctlie and severallie, speciallie constitute, greeting.—Forasmeikle as we, out of a true and unfained zeale to God's honour, and for the advancement and promoving of true religion amongst all our subjects of this our kingdome, did, at our last being in those parts,

propone certane articles to be embraced and practised in this kirk: And amongst others, these two speciallie; That yeirlie a thankfull commemoration sould be made of the inestimable benefits bestowed upon mankind in the Birth, Passion, Resurrection, and Ascension of our Lord and Saviour, the Lord Jesus Christ, and the descending of the Holie Spirit, upon the days which have been accustomed to be keeped by all Christians, for the said commemoration, from the verie primitive times of the kirk untill this present day: And that the holie sacrament of the Communion sould be heirefter ministred and received reverentlie by all the communicants upon their knees: Intending noe other thing therby but the better instruction of the people in the principall grounds of the Christian faith, and exciting of them to a true, devote, and religious behaviour, in the worshiping of Almightie God: Lik as for the better determination of these articles, we did call a Generall Assemblie of the kirk, first at our citie of St Androes in the moneth of November, in the yeir of God one thowsand six hundreth and seventeen yeirs; and efterward at our burgh of Perth in the moneth of August, the yeir of God one thowsand sex hundreth and eighteen yeirs; where the same articles being reasoned and discussed at length, were concludit and agreed upon, as in the acts made theranent, and by our proclamation published therupon, doth appeir. Nottheles, diverse turbulent and refractorie spirits, als well of the ministrie as people, preferring their owne conceats and opinions to the ordinances of the generall kirk, have incited diverse of our good subjects to misconstrue our intentions and proceidings in the said maters; and by their pamphlets, libells, and other seditious speeches in publict and private, have traduced the saids ordinances as superstitious, idolatrous, and contrarie to the worship prescribed in God's Word; inducing therby manie of our subjects to a manifest disobedience and contempt of the saids ordinances, and causing a miserable breache of the unitie of the kirk, to the great offence of God, and misregard of all authoritie both civill and ecclesiastick: And albeit we have with long patience and lenitie attendit the obedience of our direction therin, using all

calme and gentle means to perswade ministers and others to their duetie in that behalfe, nothing hath hitherto appeared upon the parts of manie but a wilfull and an obstinate contempt, which we neither will nor can oversie. But we are resolved by the rigour and force of our lawes and justice to punish; and accordinglie to have the saids ordinances obeyed by all our subjects, of whatsoever degree, ranke, or estate.

"For which purpose, our will is, and we charge you straitlie and commands, that incontinent these our letters seen, ye pas to the mercate crosses of the head burrows of this our kingdome, and other places neidfull; and there, by open proclamation, make new intimation to all our leiges and subjects of our expresse will and pleasour, concerning obedience to be given to the acts and ordinances of the forsaid Assemblie. And that ye command and charge all and sundrie our leiges and subjects, als weill ministers as others, that they, and everie one of them, obey and observe the acts and ordinances of the said assemblie: Especiallie the acts made anent the commemoration of the benefits of our Saviour, upon the days prescribed, and anent the reverend receiving of the holie Communion. And that they in noe ways presume, nor take upon hand to violate and transgresse the same acts, upon whatsoever colour or pretext, under the paines following: to witt, Everie minister that sall failyie in the premisses to be called and conveened before the Lords, and others of the Highe Commission, and other ordinarie judges of the kirk; and to be punished by deprivation, suspension, confining, and wairding, at the discretion of the said judges of the kirk. And to everie other persone that sall refuse to come unto the kirk, and to heare preaching the days particularlie abovewritten, under the paine of payment of the somme of threttein shillings, four pense, as a penaltie modified to be taken of them, and everie one of them that sall so transgresse, *toties quoties*. And siclike, for everie person that sall refuse to communicate in the reverend maner that is prescribed by the acts of the said assemblie, under the paines of payment of the soumes of money efter specified, according to their ranks, qualities, and degries: That is

to say, everie earle, under the paine of an hundreth punds; everie lord, under the paine of an hundreth merks; everie baron or laird, under the paine of fiftie punds; and everie other person of whatsoever ranke or degree, under the paine of twentie punds, or les, at the discretion of the judges before whom they sall be called, conveened, and punished in maner forsaid, without favour. And the said paines sall be taken up, and applyed *ad pios usus*. As also, that ye command, charge, and inhibite all and sundrie our leiges and subjects of whatsoever ranke, qualitie, or degrie, that none of them presume nor tak upon hand to impugne, detract, or oppone to the ordinances of the said assemblie, in private nor publict; but that they behave themselfs as becometh goode and Christian subjects, eschewing everie thing tending to sedition or disobedience, and as they wold be esteemed good and peacable subjects; and under paine to be called before the Lords of our Privie Counsel, and to be punished, efter triall of their offence, at the discretion of the saids lords. The which to doe we committ to you, conjunctlie and severallie, our full power, by these our letters, delivering the same, by you duelie execute and indorsatt, againe to the bearer.

"Given under our signet, at Halyrudhous, the 8th day of June, and of our raignes the 53 and 18 yeirs, 1620.

"*Per actum D. Secreti Consilij.*"

W. RIG AND JOHNE MEINE CHARGED DE NOVO.

In the beginning of Julie the Bishope of St Androes wrote to the counsel, shewing that some of the citizens of Edinburgh, who were charged to enter to their wairds, had given him thanks for interceeding for them at the king's hands; but William Rig and Johne Meine came not to him to acknowledge; wherupon they were charged upon the thrid of Julie, William Rig to goe to Caithnes within threttie dayes, there to keepe confinment, and Johne Meine to the West Countrie, within twentie days. They went to the bishope, and conferred with him, but he gatt noe vantage of

them. He wrote to the counsel in their favours, and so they were noe farther persued.

A LEITE OF MINISTERS FOR PLANTING OF EDINBURGH.

Upon the Lord's day, the 15th of October, there was a meeting in the counsel-house of Edinburgh, of the old and new counsel, and the old and new session, and als manie other citizens as the hous could containe, to make a leite of ministers for planting of their kirk. Mr Patrik Galloway, moderator, at the first, said, that in his judgment there was not a minister in Scotland, but he might be had to be minister of Edinburgh; yit in time of the leiting, he said, "Take heid ye put none in the leite but such as ye will be sure to gett." There were sevin nominate; Mr David Dickson, minister at Irwine, Mr Andro Cant, Mr Colene Campbell, Mr Robert Balcanquall, Mr Robert Wilkie, Doctor Strange, and Mr James Fairlie. Mr Patrik Galloway asked, if Mr David Dickson was conforme. It was answeired, he had all the thrie properties which he required before; that is, was of a holie life, could preache and governe. He asked at Mr Struthers, his brother-in-law, "Is he conforme? will the bishope receive him? We will have none to come heir but suche as will obey the king and his lawes." Mr Struthers answeired, he wold not answeir for that. Others answeired, he sould looke to the King of Heaven, and obey him first. Siclike, when Mr William Scott and Mr Johne Carmichaell were nominate, Mr Patrik said, "Name not the men ye will not gett." So the case of the kirk of Edinburgh was pitifull, in that it was defraudit of the travells and paines of the worthiest preachours of the land, for non-conformitie, and none suffered to be their pastours but such as were hirlings, temporizers, and inferiour in gifts to the others. Thrie of the citizens wold not vote at all to the election, becaus it was not frie, of which number William Rig was one. He alledgit, there were manie honest citizens of the toun had als great interest as office-bearers in choosing their pastors. Johne Maknaucht, one of the baillies, in the

audience of five or sixe, sayeth to him, "None sould vote heir without a calling." William Rig answeired, "They have als good a calling, according to the Scripture, as anie heir." "I know Scripture als weill as yourself," said the baillie. "And this is in Scripture," said William Rig. "Ye are but a giddie-headit companion," said the baillie. "I say again, Sir Baillie," said William Rig, "I will take that of you." He caried some respect to him, becaus of the office he was in for the present, howbeit otherwise he was inferior to him in all other respects, either for civile, naturall, or religious parts, and did not querrell him efter, when he was baillie himselfe. There were four chosen out of the sevin to be heard, viz., Mr Andro Cant, Mr Robert Balcanquall, Doctor Strange, Mr Robert Wilkie.

THE MINISTERS OF EDINBURGH INVY THE MEETINGS OF GOOD CHRISTIANS.

About this time, the ministers of Edinburgh inveighed bitterlie against the private meetings of some good Christians in Edinburgh, who conveened to deplore the iniquitie of the time. They called the meetings Privie Conventicles; the conveeners, Brownists, Anabaptists, Shismaticks, Separatists. Mr Thomas Sydserfe sent to Nicholas Balfour, daughter to umquhile Mr James Balfour, minister of Edinburgh, to advertise her, that she was to be banished the toun, for interteaning such meetings in her house; and revyled her despytfullie, when she came to conferre with him. The day efter, he inveighed against these private meetings, which he called Conventicles, and said, they had gotten outlandishe ministers, (meaning Mr Hubert, the Englishe preachour,) who teache that the king sould not be prayed for, becaus he governeth not according to their humours; and that they committed treason who heard them, and revealed not.

TILENUS COME TILL ENGLAND.

About this time, Tilenus, a Silesian by birth, a Professor in Sedan, came to England, looking for great preferment and benefite, for a pamphlet intituled "*Paræenesis ad Scotos Genevensis disciplinæ zelotas,*" wherin he defendit the state of bishops and the Five Articles. The booke was confuted soone efter by Sir James Semple of Beltrise, and by the author of the booke intituled "*Altare Damascenum.*"

AN IRISHE PREIST APPREHENDIT.

About the end of October, Edmundus Cana, an Irishe man by birth, a young man of thrittie yeirs of age, having another younger with him carrying his masse-cloths, a portable altare, a flagon of wine, and other necessars requisite for the masse, was apprehendit, and committed to waird in the Tolbuith of Sterline; and within four or five days was sent to the Bishope of St Androes.

A DIRECTION TO WAIRD MR R. BRUCE.

Mr Robert Bruce being delated to the king, for keeping fasts in his house when he was in Monkland, and celebrating the Communion conforme to the old practise of this reformed kirk, was ordained by a letter directed from the king to the counsel, which was redd before them the 25th of October, to be cited and urged; and if he had not obeyed the Acts of Perth Assemblie, to be wairdit in Aberdeene. Chancelour Seatoun said, it was not their part to judge in kirk maters: the bishopes have a Hie Commission of their owne to try these things. Secretarie Hammiltoun said, "Will ye reasoun, whether his Majestie must be obeyed or not?" Chancelour Setoun answeired, "We may reason, whether we sall be the bishops' hangmen or not." So the mater was referred to the bishops. But the death of Mr Robert's wife following soone efter, he was spaired for a time.

TWO MINISTERS CHOSEN TO EDINBURGH.

Upon the Lord's day, the 5th of November, there was a meeting in Edinburgh, efter the efternoone sermon, of the provest, baillies, counsel, old and new session. The ministers desired that two out of the four before selected might be chosen; and yit all the four were not heard. This cousenage was perceived and opponed unto, yit the ministers and their assisters putt it to voting, and made choise of Mr Robert Balcanquall and Doctor Strange. There were threttie-two citizens or therby who uttered their mind frielie and at length, becaus the election was not frie, but restrained to conformitans. Upon the Tuysday following, Mr Sydserfe inveighed against these who wold not vote, but to such as sould not be had; and reasoned efter this maner: They wold have noe preachours, and then, noe preaching, and then, noe faith; and so all sould turne to atheisme, if their advise were followed. But he and his collegs made the greattest impediment themselfs of frie election; for they wold suffer none to be planted in Edinburgh but such as were conforme. When Mr Robert Boyde was placed Principall in the colledge, and taught in the Greyfrier Kirk, yit could they not indure him. The two ministers chosen, for all the busines that was made, refused to accept the charge.

MR ALEXANDER SCRIMGEOUR PLACED IN KINGHORNE.

In the beginning of November, Mr Johne Scrimgeour being advertised that the Bishope of St Androes was to send Mr Alexander Scrimgeour to Kinghorne, to be received minister, præoccupied the place, and teached thrise that day; but he sould have entered. The bishope sent to the counsel with diligence, to procure that the guard might be sent to apprehend him; but he escaped. Through intercession of freinds, the bishope was induced to relaxe him from the horne, and save him from caption, provyding he wold keepe confinment at his own house in the Bow-

hill. So Mr Alexander came to Kinghorne, to enter himself in that charge, none of the people consenting, except Jhone Boswald, Laird of Pittedie, who loved not Mr Jhone for his frie and just rebuks. He rose up efter sermon, and took Mr Alexander by the hand.

SUPPLIE CRAVED FOR THE PALATIN'S WARRS.

The convention appointed for supplie of the Bohemian warres was holden at Edenburgh, the 23d of November. The first day, there was contention among noblemen about their places; Anguse claimed the place before Huntlie, but the convention decerned for Huntlie, becaus he was a marqueis. Anguse tooke instruments, that his right be not prejudged. The Lord Maxwell, latlie made Earle of Niddisdaile, and declared by proclamation to succeede his father, made Earle of Mortoun, by reason of Mortoun's forfaultrie, *anno* 1581, was opponed to by sundrie, alledging that the forfaultrie was reduced, and that his father was never in possession of that place. In end, it was agried that Maxwell sould sitt behind the chancelour's bake, till the controversie were decided. The second day, the chancelour, the president, the Earle of Mortoun, and the Bishope of St Androes, had their haraungs. In end, it was thought meete to referre the mater to a parliament, and to send up a faire excuse to the king, namlie, becaus there was skarsetie of money within the countrey. Howbeit, some thought that some of the nobilitie had some other respects of their owne. But about the beginning of December, the king sent doun his answeir, that he wold have the supplie to come of frie will, and therfor wold not appoint a parliament for that end. Wherupon the noblemen and barons were written for, to conveene in Edinburgh, the 23d of Januar. About the fourth or fift of December, the report was brought thither that Prague, the cheefe toun of Bohemia, was taken, and the king and queene, Count Palatine and his ladie, were fledd.

THE BISHOPE OF ABERDEENE'S INVECTIVE.

Upon the Lord's day, the 26th of November, Patrik Forbesse, Laird of Corse, Bishope of Aberdeene, preaching in the Little Kirk of Edinburgh, said there were men that in a peacable time were counted unworthie to have a place in the kirk, to gett themselfs a name, did draw disciples efter them; and to be counted singulare, maintained strange errours, to witt, of Brounists, Familists, Anabaptists, Separatists. And yit was he not able to name among all the ministers of Scotland one tainted with these opinions. Farther, he said they were like the salamander that delited to live in the fire; becaus there were maters brought into the kirk which were disputable, they wold breake the peace of the kirk, and sett all on fire. That they counted none religious but such as spake evill of the king, and men in authoritie. He began, continued, and endit, not ashamed to lie, with these and the like odious imputations, saving that he had a short exhortation for contributing to the warres in the Palatinate.

A FAST REFUSED.

Upon the 14th of December, the sinceerer sort of the session of the kirk of Edinburgh urged a fast, as they had done often before, for the state of the churches in Germanie. The ministers answeired as before, that they had sought licence from the bishope, the bishope had advertised the king, and the king had answeired with silence, becaus he doubted of the Palatine's right to the croun of Bohemia. It was replyed, that other kirks and presbyteries had not sought licence of the bishope. Mr Galloway said, "Let me answeir these men. We have not that friedome and libertie that other kirks have, becaus Edinburgh lost their libertie at the 17th day of December." He brake out in the like speeches upon the Lord's day, the 17th of December.

ELDERS CHOSEN.

Upon Thursday, the 21st of December, the elders and deacons were chosen out of the leits which were made upon the 14th day. The old and new counsel conveened with the session. Ignorants or time-servers were chosen, and the better sort for the most part rejected. This corrupt forme of choosing elders and deacons had entered but two yeirs before, to the great prejudice of the libertie of the congregation.

MR GALLOWAY RENEWETH THE MEMORIE OF THE 17TH DAY.

It was concludit in the session, that there sould be preaching in the Grayfrier Kirk, upon the Lord's day, the 17th. But Mr Galloway alledgit, becaus it was the 17th day of December, it was a dismall day to begin preaching on in that new buildit kirk. So he harped maliciouslie upon the tumult raised in Edinburgh the 17th day of December, not of prepensed malice, but of feir of a massacre. If there had been anie guiltines, it became not pastors to be bloodie mouthed.

PREACHING ON CHRISTMAS.

Mr Patrik wold not preache upon the Lord's day, the 24th of December, (belike, becaus it was a dismall day;) yit he preached the day following, and alledgit for the lawfulnes of observing that day, the preaching of the angels to the sheepheards, and praising of God that day. It behoved him to say some thing for holie days, to please the king, for his sone had spent these five yeirs bypast much money to him: how els sould he gett the breache repaired? For howbeit he was an extraordinar octarer,[1] and tooke fiftie of the hundreth in the yeir, yit had he to doe with all his peeces. In time of sermon, there were betwixt the Strait Bow

[1] Usurer.

and the Nether Bow a hundreth booth doores open; eight merchant booths, the rest booksellers, skinners, hat-makers, apothecaries, bakers, and sellers of sweetmeats.

It was constantlie reported, that there were above two hundreth preists and Jesuits in the countrie at this time. Two were keeped in the castle of St Androes, and weill interteaned, till word came from the king to sett them frie. In the meane time, the Papists resorted to the Spanish ambassadour's masse at London.

M.DC.XXI.

A CONVENTION.

The nobilitie conveened not at the time appointed, so frequent as at the last convention. There conveened onlie eight noblemen and foure bishops. The king's letter, which was redd at the other convention, was redd at this also, wherin mention was made, that the Palatine, without his counsel and consent, had accepted the croun of Bohemia. Yit becaus [of] the palatinate, which was his sone-in-law his propertie, and his daughter's dowrie, he craved the suplie of a voluntarie contribution. They excused themselfs the best they could, offered to doe what they might at a parliament, and sent up the Bishop of St Androes with their excuse. The prophane prelate entered in his journey from Leith the Lord's day, the 28th of Januar.

FORTOKENNINGS OF SOME MISCHEIFE.

Upon Tuysday, the 6th of Februar, about four afternoone, there was a tenement of land brunt in Hackerstoun's Wynde. A fire breaketh up in the Cowgate, but was soone stayed; and in a baker's house, in another part of the toun. The people apprehendit by these thrie fyres arising in one day, that some mischeefe was to follow. About the same time, or neir therby, there came in a

great whale fishe at Montrose; which was also apprehendit to be a forerunner of some trouble.

FATHER ANDERSON SETT AT LIBERTIE.

Upon Tuysday, the 13th of Februar, the counsel sett Father Anderson at libertie, at the king's command. The king commandit to furnishe him with honest apparrell, to pay the charges he was at in the Tolbuith, to give him an hundreth punds sterline, and to put him in the first ship that sailed to France. It was alledgit in the king's letter, that the King of France his ambassadour had procured him his libertie.

THE OFFER OF THE ENGLISHE PARLIAMENT.

About the beginning of Marche, it was constantlie reported, that the parliament of England had offered to the king a subsidie of two hundreth and thrie score thousand punds sterline, and to sustaine threttie thousand men for the recoverie of the palatinate, providing the king wold give commission to put the law in execution against the Popishe recusants; and that the king answeired, he wold choose a fitter time, alledging, that it was meetest to take order first with those that hurt the commonwealth at home.

Upon the 14th of Marche, the parliament was indicted by proclamation, to be holden the first of June.

Upon Monday, the 26th of Marche, the Bishope of St Androes came to Edinburgh at night. The day after, he presented the king's letter directed to the counsel, to sie the solemnities of Easter keeped by the counsel and the Colledge of Justice.

THE ELDERS AND DEACONS REFUSE TO SERVE AT THE TABLES.

Upon Thursday, the 29th of Marche, the ministers of Edinburgh urged the elders and deacons with service at the tables on Pasche day. Some answeired one way, some another, and excused

themselfs with absence out of the toun. Johne Fleaming answeired plainlie, he wold not come, becaus the Communion was not given according to Christ's institution. The provest bade him remember his oath. He answeired, he had made noe oath to obey corruption.

MR RAMSAY AND MR SYDSERF'S AUDITORIE ON GOOD FRYDAY.

This day, Secretarie Hammiltoun, President of the Session, requeisted in the king's name the Lords of the Session, reddie to depart of the toun, to refreshe themselfs in time of vacants, to stay and keepe Good Fryday and Easter; yit manie went away. They and their dependers made up the greattest number of the auditorie in the Old Kirk, upon Good Fryday, where there were about fourtie women at Mr Andro Ramsay's sermon. In the Litle Kirk there were about twelve women, and thrie score men, where Mr Thomas Sydserfe preached; wherat he raged. They began their sermons about halfe ten, as if it had been a Sabboth-day.

EASTER COMMUNION.

Upon Easter day, Mr Patrik Galloway, preaching in the Old Kirk, had a thin auditorie. The tables were filled but four times. The chancelour distributed the breade to four or five; but Mr Patrik gave it to them all over againe, to make sure worke. The lords and their dependers communicated at the first table, and kneeled. At the nixt two, some satt, and some kneeled; at the last, all satt. There were about twentie women, and all did sitt. When Mr Patrik was to give the element of the breade to George Keath, who was sitting, and the rest beside him kneeling, he said to him, "Can ye tell what that is?" The other answeired, "I come not heir to be instructed of you at this time." He biddeth a certane woman kneele, when he was to give her the element of the breade. She answeired, "I will either receive it sitting, or not at all." In the Colledge Kirk, all the communicants did sitt, except

Mr William Struthers, and Mr Thomas Sydserfe, and Mr Thomas Sydserf's wyfe, Mr Johne Pape, a Papist, and his wyfe, Jhone Gilmour, a Papist, and David Mitchell. The provest kneeled in the Old Kirk, but the baillies communicate not at all. The nixt Sabboth-day, Mr Patrik gatt scarse five score of communicants, and these were of the meanner sort of the people. The officers were desired to invite these that were going to other kirks, but they refused. Two onlie kneeled in the Colledge Kirk. Mr Patrik willed the provest and baillies to provide another minister for themselfs; he wold stay noe longer, for he saw his ministrie was contemned. Mr James Law, Bishope of Glasco, discharged anie to come to the table upon Easter day, except these who purposed to kneele; wherupon the Principall of the Colledge, Mr Robert Boyde, the regents, and the schollers, and the toun minister, Mr Robert Scott, communicated not. Mr Johne Mitchelson, minister at Bruntiland, enraged at the people for their sitting, caused remove the stooles and furmes. Yitt none wold receive it knieling, except an old wife or two. The Communion was celebrated in Dalkeith, Musselburgh kirk, the Pannes, Duddingstoun, upon the eight of Aprile, and sixt of May, wherunto the inhabitants of Edinburgh resorted in frequent companies; wherupon the auditorie of the kirks of Edinburgh became rare and thinne. Manie of the profainner sort of the toun were drawen out upon the sixt of May, to May games in Gilmertoun and Rosseline; so profanitie began to accompanie superstition and idolatrie, as it hath done in former times. Upon the first of May, the weavers in St Paul's Worke, Englishe and Dutche, set up a highe May pole, with their garlants and bells hanging at them, wherat was great concurse of people.

A PROCLAMATION FOR GREEVANCES TO THE PARLIAMENT.

In the beginning of May, or upon the last of Aprile, there was a charge published by proclamation at the Mercate Crosse, commanding all that had sutes, articles, or petitions, to propone to the parliament, give them in to so manie of the counsel as his Majestie

had appointed, betuixt and the 20th day of May, that they may passe under the king's hand; with certification, that otherwise they sall not be heard in parliament. The tenor heir followeth:—

"JAMES, by the grace of God, King of Great Britane, France, and Irland, Defender of the Faith, &c.—Forasmuche as we know weill, that the happines, strength, and glorie of a monarchie, frie from tyrannie and confusion, is buildit upon the mutuall love betuixt the king and his subjects; expressed by the one in a fatherlie care to maintaine his countrie in a secure peace, flourishing with religion and justice; and by the others, in a loyall and submissive obedience to their prince's will and commandement, accompanied with a heartie and affectionat offering of all supplie and ayde to the upholding and increase of his estate and honour, with their goods and bodies: which reciprocall bonds, (as layde in by nature and birth upon king and people,) albeit noe new contract can ty or shake of, yit are they with solemnitie in a sort renewed at the assemblies of parliaments, whairin the subjects, according to the occurrent necessities of the prince's effairs, offer to him their best supplie and helpe; and he returneth to them satisfaction, and ease of their just greevances, pardons for transgression of the laws, ratifications and acts in favours of particulare persons, estats, and incorporations, with the establishment of such new lawes as the time doth require. And we having now appointed a parliament in our kingdome of Scotland, to be holden and begin upon the first day of June nixt, wherin, as the importance and necessitie of our aides giveth us just hope for to looke for a supplee to be granted to us by our subjects in our said kingdome, in a greatter measure than hath been at anie time heirtofore; so are we most willing that they sould have all contentment, in having either generall lawes, or particulare acts authorized by our royall consent, which being ryplie advised, sall be found expedient to passe. But becaus our long experience hath taught us, how that diverse persons, partlie by ignorance, and partlie by fraude, are accustomed, presuming upon the short time of the sitting of our parliament,

to give in manie bills and articles to these who are appointed to sitt upon the same, containing mater prejudiciall to our croun, or others our good subjects, which shortnes of time and multitude of busines permitteth not to be so narrowlie examined as neede were: And for this caus, we have appointed a certane number of our counsel to meete some days before the said parliament, and to consider of all bills, petitions, and articles, which sall be exhibite to them by our Clerk of Register. Therfor, our will and pleasour is, that all such as intend to give in anie articles to be past in this approaching parliament, deliver the same to our Clerk of Register, before the 20th day of May nixt; otherwise the same sall not be received, redd, nor voted in our said parliament, except the same be past under our hand. And that ye make publication heirof at the Mercate Crosse of our burgh of Edinburgh, to the end that none of our subjects pretend ignorance.

"Given at our Palace of Westminster, the 21st of Aprile 1621."

All other corporations of the kingdome, or private persons, as they had to doe in parliament, keeped their ordinarie meetings according to their wonted priviledges, and the tenor of the proclamation, to prepare their petitions and articles to be presented to the parliament. But the ministers was denyed that libertie which they were wont to have of a Generall Assemblie, to send commissioners with articles to the estats conveened in parliament. Howbeit great was the necessitie from time to time, and now in speciall, when Papists were become so bold, and ministers were divydit.

MEANS USED FOR A PETITION FROM THE TOUN COUNSEL TO THE PARLIAMENT.

Upon Monday, the 7th of May, some of the best affected professors in Edinburgh conveened, to advise what to doe to prevent the ratification of the acts of Perth Assemblie at the insuing

parliament. They sent thrie elders, and other thrie professors, to crave the concurrence of the ministrie and session, to requeist the toun counsel to put a supplication to the parliament to that effect, with the rest of their petitions. When they came to Mr Struthers, he said, "The Five Articles which have bredd this rent in the kirk are come from the Papists." He and the rest promised concurrence, all except Mr Patrik. He said it was perillous to medle with the king's busines; and if the king gatt knowledge that he did anie thing in that mater, he wold call him a fals knave, as he had done alreadie, for dipping in these maters; and that such a sute from the toun wold be prejudiciall to the rest of their sutes. Yea, when the thrie ministers went doun to him on Wednisday, the 9th of May, he made them alter their purpose, which was easie to doe. When the elders proponed the same mater to the session, upon the 10th of May, the provest and baillies who were present applaudit to it; but Mr Patrik, howbeit he was not moderator, wold not suffer it to be voted, and said, the toun had indignation enough alreadie drawen upon them. Mr Ramsay said, there were thrie sorts of communicants: one satt, another kneeled, the third ranne from their owne ministers; and these last made the rent in the kirk. Upon Fryday, the ellevinth of May, there was an advise sent to the toun counsel with one of their own number; but the provest caused him returne it backe to him that gave it, who was waiting at the doore. At the same time, a supplication was given in to the counsel by one of their owne number, to whom it was delivered. The provest asked, how he durst receive it? He answeired, verie weill, becaus it was verie reasonable. It was caried from hand to hand, redd privatlie, and at last riven in peeces, and the answeir given which Mr Patrik had given before.

EARTHQUAKE, THUNDER, AND ECLIPSE OF THE SUNNE.

About this time there was a great earthquake in the toun of Montrose and therabout, to the great terrour of the inhabitants,

so that manie for fear fledd out of the toun. Some was slaine with the thunder there; and in the west countrie about Hammiltoun, upon the elleventh of May, there was an eclypse of the sunne, about eight hours in the morning.

SIR GEDEON MURRAY'S DEATH.

Sir Gedeon Murray, thesaurer-depute, was delated by the king, for some offences committed in his office against the king and his leiges, for which he was to be tried. Melancholie seased upon him in such a measure, that he refused to take meate, howbeit sundrie came to him, and did what they could to encourage him, by assuring him of the king's favour. He departed this lif the 28th of June, efter he had keeped his hous twentie dayes or therby, stupified and silent, or at least speaking litle, or to noe purpose. Sundrie reports went of his death, and among the rest, that he poisoned himself. But the ministers of Edinburgh reported in pulpit otherwise, viz., that immediatlie before his departure, it pleased God to open his mouth, and to confesse that he was sore troubled in his conscience for his sinnes, but God had now assured him of remission. This man put his hand to the pleughe of the ministrie, but returned bake his hand.

THE DECLARATION OF THE LOWER HOUSE.

It was constantlie reported heir, that some who had spoken frielie in the Lower House of the Englishe parliament were committed to the Toure. The commons of the Lower House, to justifie their owne proceidings, made this declaration following, upon the 4th of June:—

"The commons assembled in parliament, taking into their most serious consideration the present estate of the king's children abroade, and the generall afflicted estate of the true professors of the same Christian religion professed by the Church of England, in foreine

parts, and being touched with a true sense and fellow-feeling of their distresses, as members of the same bodie, doe with one unanimous consent, in name of themselfs and of the whole bodie of the kingdome whom they represent, declare to his most excellent Majestie, and unto the whole world, their heartie greevs and sorrow for the same; and doe not onlie joine with them in their humble and devote prayers unto Almightie God, to protect his true church, and to avert the dangers now threatened; but also, with one heart and voice doe solemnelie protest, that if his Majestie's pious indevoures by treattie to procure their peace and safetie sall not tak that good effect that is desired in the treattie, wherof they beseeche his Majestie humblie not to suffer anie long delay, that then, upon signification of his Majestie's pleasour in parliament, they sall be readie to the uttermost of their powers, both with their lives and fortunes, to assist him: So as, that by the divine helpe of Almightie God, (who is never wanting to those who in his feare sall undertake the defence of his own caus,) he may be able to doe that by his sword, which by peacable treatties sall not be effected."

A FAST INTIMATED.

Upon the Lord's day, the 17th of June, intimation was made efter sermon in Edinburgh, of a fast to be keeped through all the kingdome the nixt two Sabboth-days, for the generall contempt of the Word; the preservation of the king and his children; the preparation of the Turke, lying in wait to invade Europe, and seeking advantage of the division of Christians; and the persecution of the kirk in Germanie and France. But noe mention was made of our defection from our first zeale, love, and puritie; the breache of the covenant, and the troubling of ministers for nonconformitie. Yit wairning was given by the advise and direction of some few to all the ministers that had not conformed, to have a Humiliation the Sabboth before the parliament, with consent of the presbyteries, if it can be had; where it cannot be had, with con-

sent of the session; where neither can be had, that everie minister have it apart by himselfe.

Some ministers considering that we wanted the libertie of Generall Assemblies, which were wont to send commissioners to the parliament with articles, agried upon a supplication, which was presented by Mr Andro Duncan in their name, upon the nynth of Julie, to Sir George Hay, Clerk of Registrie, as was appointed by the proclamation. The tenor of the supplication heir followeth :—

THE MINISTERS' SUPPLICATION PRESENTED TO THE CLERK OF REGISTER.

"May it please your Honours, in this present parliament, assembled under the highe and excellent Majestie of our deare and dreade Soveraigne, to accept and consider the humble petition of your wearied and broken-hearted brethren, ministers and people, obliged under higher paines than losse of life, libertie, goods, and fame, for Sion's sake not to hold their toung, but to call and cry to the God of heaven, and the gods of the earth, that peace may be within her walls, and prosperitie within her palaces.

"Although it were more expedient to weepe than to say ought, when we sie the Lord's armie disordered, his companie broken, and the chocke betuixt Christian and Turke, Protestant and Papist; some of his worthies put from their places, and others turned, if not to the enemie's campe, yit labouring for his caus: Nevertheles, having this happie occasion of his Hienes' fatherlie care, providence, and inclination, to distribute justice and mercie amongst his Majestie's people, to whom by right pertaines the worthie conforts and advantages which the King of kings hath inclosed in his royall scepter, to be delivered furth and disposed according to the occasions presented, and the reciprocall consideration in his Hienes' late proclamation expressed; as also, of this Hie Court, and of your Honours' compassionate intercession for our quietness and deliverance from injuries alreadie felt and further feared: We are even forced to speake, though not as Tertullus, or they who

care not for the losse of much inward peace of their soules and consciences, so that they may gaine their supposed victorie. Yit holding our selfs within the bounds of that Christian moderation which follows God, without injurie done to anie man, it is not beseeming our ministeriall calling to secrete the trueth, wherof we are perswadit, and by a cowardlie kind of silence and truethles modestie to betray a goode cause.

"As touching our own greevances, and others concerning our selfs, we have locked up our hearts with patience, and our lipps with taciturnitie, rather than we-sould impeshe your Honours at this time with our just complaints of wronged innocencie, by so manie great reproaches, shamles calumnies of sedition, disobedience, hypocrits, sectaries, &c.; deprivations, and rigorous practises inflicted upon some, as if we alone had troubled Israel, by holding, forsooth, these principles, and maintaining these opinions, wherupon Shismaticks and Puritans build their heresies, and despise better than themselfs. And for noe other causes knowne to us but for our constant care, as God has dealt to everie man his measure of faith, to build the house of God, according to the holie paterne prescribed from his holie montaine: Our conformitie with the Kirk of Scotland, and the best reformed kirks of other countries, and our loyall obedience to his Majestie's lawes, declaring and approving the true kirk, the true members and ministers therof, and the doctrine, sacraments, and discipline, to be ministred and professed within the same. As for the vehement outcries against our cause, and the sundrie foule maters laide to our charge in word and writt, we pas them all, as swyne's fleshe dressed efter a diverse fashion; and we looke for æquall hearing at your Honours' hands, and for Paul's libertie from King Agrippa, 'Thou art permitted to speake for thy selfe.' In this confidence of our good caus, and persuasion of your Honours' love to the trueth knowne by your selfs, we preasse not to offend anie; but being provoked to defend our selfs, leaving to the Lord, who sall judge the quicke and the dead, to persuade them that have their eyes upon us impartiallie, to judge our labours in the ministrie for the true religion, and against

the enemies and adversaries therof; our harmles conversation and blameles, as it pleases the Lord to assist us under our infirmitie.

"The reasons wherby we are upholden in our course and protestations and just defence against the opposition intendit, are all made patent to the eyes of the world, noe ways to lay open the nakednes of our mother, to the scandall of the enimie, or justlie to offend anie otherwise myndit. But that the multitude of our professors be not tainted with the venome of maliciousnes, contrarie to the sincere milk which they have received, by a swift running speate[1] of humane eloquence, more fitting to deceave the eare than to worke grace in the heart. If accusing were forborne, we sould desist from speaking. If the sword of persute were putt up, we could soone be discharged of our buckler. But being persued, if we defend not, we die with shame, and are guiltie of our owne overthrow.

"The praise of all paines wislie taken, the steppe of all callings, and croun of commendable sufferings, is to doe and suffer in the caus of Christ's spouse, and for the maintenance of the salvation of our own soules. That one thing we cannot suppresse, our heart's desire to have and hold religion in libertie and puritie. And for that effect [we] better like of the single forme of policie in the Kirk of Scotland, and the reformed kirks of other countries, than the manie ceremonies retained by some. Yea, love and fear compelleth us to put your Honours in mynd, that as it hath been in all ages the holie disposition and happie practise of all God's people, to sett continuallie before their eyes his inestimable goodnes towards his kirk, her case and condition in her militarie troubles, and in consideration of the one, and the other duetie required and expected at your hands, wherethrough, in the riches of God's mercies, they have been safe from that dreadfull ruine that hath justlie overtaken the carles and the wicked: So now, in time of dangerous distraction, it wold please your Honours to sett before your eyes, how wonderfullie the Lord's love and rich

[1] Flood.

grace hath been powred upon his kirk, in this nation, and by the meanes of religion, upon our gracious soveraigne, your Honours' ancestours of blessed memorie, your selfs, your freinds, and upon this estate, the present estate of such a loving mother, crying in her bloodie distresses for helpe at your hands. And in regard of blessings abundantlie received in the days of her libertie and health, what is due from your son-like affections, places of credite, and honorable callings, in your highe conventions where God stands in the assemblie of gods, highe judges among the gods, to your well-deserving mother, in whose wombe we were conceived, and brought up on her knees to the condition wherin we now stand at ease and peace in the days of her distresse. Our humble petition to your Honours is, that as ye respect the glorie of Christ's kingdome to be continued in this land, the adorning of his Majestie's croun, and the quietnes of his loving and loyall subjects, the endles praise of your selfs, and the floorishing of your honorable estats, with the particulare confort of so manie ministers and congregations within this realme: This poore kirk, in the day of her teares, greefe, and feare, by your tymous intercession at his Majestie's hands, (and the Lord give you favour in presence of the king,) and your uttermost endevours debtfull to God's honour, and Christ's kirk, in this happie occasion now presented, may obtaine in this parliament her most reasonable desirs.

"A sufficient and readie execution of former acts of parliament made against the fearfull blasphemies of God's name, profaning the Lord's day, and contempt of his sanctuarie and service, so universallie overflowing the land, not onlie in the persons of poore ignorants, in a maner tyed to these horrible cryms by a cursed custome, and beggarlie necessitie; but even in the more honorable sort, whose damnable exemple incourages their followers to sinne without feare; with such additions as may represse and restraine these trying abominations in all, without respect of persones.

"A safe libertie to injoy the profession of our religion, as it is reformed in doctrine, sacraments, and discipline, and hath been openlie professed, sworne, and practised, by prince, pastors, and

people of all ranks, your predecessours of worthie memorie, your selfs, and we all yit living, these thriescore yeirs bygone and above.

"A full deliverance from, and a sufficient defence against, all novations and novelties in doctrine, sacraments, and discipline; and speciall, in such as by constitutions of the kirk, confessions of faith, liberall lawes of the countrie, oathes, and subscriptions, and long continued practise, hath been condemned and cast out, as idle rites and Romishe formalities, under whatsoever pretence they pleade for re-entrie.

"That noe act pas in derogation or prejudice of the acts alreadie granted in favour of reformation, libertie of assemblies, convenient execution of discipline, &c., or for corroboration of new opinions against the same, whether Episcopacie, or ceremonies the shaddow therof, which for the peace of the kirk by heavenlie wisdome sould be repeiled, rather than ratified.

"That all ministers that are removed from their charges be restored to their places, functions, and stipends.

"The happines to live under his Majestie and his heires, ordinarie judges and rulers appointed by lawes and custome, and established by the acts of parliament. That our caus be lawfullie cognosced, according to order and justice, before anie sentence pas against our persons, places, and estates; and not to be judged by anie judicatorie foreigne, and not established by the lawes of our countrie.

"We trust, that as Abraham composed the variance betuixt his owne and Lot's servants, Moses intercedit betuixt the Hebrewes, and Constantine betuixt the ministers of the kirk, so the Lord sall give you courage to intercede with his Majestie and his Hienes' fatherlie disposition, to sett the pillars of the earth that were shaken; and to take of the heavie burdens, the burthensome ceremonies, the burthensome censures, and the burthenous abuses, which manie have groned under; and with a readie and royall hand to quenche the beginning fire of deprivation of ministers by ministers, of hindering God's substantiall worship by him commandit, and withdrawing from the people the appointed foode of

their sòules, and necessarie meanes of their faith and salvation; of smyting manie a true sheepheard, and committing the flocke to manie woulfes and blind guyds; of leaving the Papists, and suppressing the best ministers, wherby they get rest to mischeeve the kirk, and build up their owne synagogue; and that for the sake of ceremonies, noe more necessarie for the Spous of Christ than fairding for a chast matrone; more readie to crosse the commandement of Christ, wherby we are charged to pray to the Lord of the harvest that he wold thrust furth labourers into his harvest, than for the ædification of the bodie of Christ.

"Thus humblie commending the innocencie of our selfs, petitioners, and our just right and possession of that reformation which we earnestlie crave to be continued to your honorable charitable judgment, we pray God, for Christ's sake, to enable you to doe that which may be acceptable to himself, profitable to his kirk, and confortable to your owne soules, at that day when we must all appeare before the judgment-seate of Christ, that man may receive the things which are done to his bodie, according to that he hath done, whether it be good or ill: And to blesse his Majestie and royall issue with peace and trueth for ever: And your Honours, with sound religion and loyaltie in this life, and endles glorie with Christ for ever."

The Clerke of Registrie with great difficultie was intreatted to receive this supplication. When he received it subscribed by the presenter, he professed he doubted whether he wold exhibite it in parliament or not.

THE MARQUIS OF HAMMILTOUN COME FROM COURT.

Upon the 18th of Julie, the Marqueis of Hammiltoun came to the Palace of Halyrudhous, accompanied with sundrie of his freinds. The Lords of Secrete Counsel went down to him, and keeped counsel with him in the Abbay. He had his first meeting in private with the officers of estate and some others, and consulted how to prevent and stoppe all opposition at the insueing parliament against the ratification of the acts of Perth Assemblie.

THE COMMISSIONERS TO THE PARLIAMENT PRÆOCCUPIED.

Upon the 20th of Julie, there was a more generall and publict meeting, wherat all things were agried upon which might serve for peacable resorting to the parliament; and the day appointed, to witt, the 23d, prorogued to the 25th, that the king's agents might have time to deale with commissioners. The bishops sent furth their spyes to try the inclinations of noblemen, commissioners of shyres, barons, burgesses; and as they were found affected, wrought upon to be present or absent, or to resolve wislie against the day appointed, speciallie such as had broken estates. These whom they feared most they wold have had them to beleeve that opposition was needles, and caused come to their eares privilie that Perth Articles wold be ratified. So some were dashed, and despairing, cryed out, "Our opposition will doe us evill, and the caus noe good." Others who were of a more servile and base spirit resolved to follow the multitude and the mightie. Some noblemen obtained licence to returne home, which was easilie granted.

MR A. DUNCAN AND MR A. SIMSONE WAIRDIT IN DUMBARTAN.

Upon the Lord's day, the 22d of Julie, Mr Alexander Simson, minister at Mertoun in the South, preached in the Grayfrier Kirk, being desired by Mr Patrik Sandes to supplie his place. Teaching upon Ezekiel iii. 17, he spared neither king, bishope, nor minister, and found fault with the watchmen of both the countries for not admonishing the king to forfeare his oathes, and omitting to putt him in mind of the breache of the covenant. He and Mr Andro Duncane were apprehendit the day following by the captaine of the guard, and were presented before the counsel efternoone. Mr Alexander concealed nothing that he had said. He wold not answeir to the Bishope of St Androes, nor acknowledge him as judge. The bishops that were present he called belligods, and enemies to the Kirk of Christ in this land, and denunced the

judgments of God against them if they repented not. He was removed, but not called in againe. So the bishops wold have had him publictlie punished. Some bade hang him to be a terrour to the rest; others, better acquaint with his disposition, thought not that expedient, for he cared not for the world: it was his joy to die in that caus. It was therfor ordained that he sould be caried to Dumbartane, there to be wairdit during the counsel's will, and to live upon his owne expenses.

Mr Andro Duncan was accused for presenting the supplication abovewritten to the Clerk of Registrie, subscrived with his owne hand in name of others. They asked for the number. He answeired, "Give me leasure, and I sall gett you such a number as you perhapps cannot think of: farther, if noe man will subscrive it, I will stand to it." The Bishope of St Androes said, "My Lords, Mr Andro is disobedient. First, he was suspendit and confined, and efter deposed, and becaus of his disobedience was denunced to the horne. And yit, notwithstanding of his deposition, he preached the weeke before in Caraile; and notwithstanding of his confining in Dundie, he had broken waird." As for his preaching in Caraile, he confessed. As for lying at the horne, he denyed that ever he was at the horne. As for breache of waird, he answeired, that for obedience' sake he stayed in Dundie, separate from his wife and sixe childrein an halfe yeir, and the winter approaching, forced him to draw homeward, thinking that either they had forgotten, or wold pittie him. As also, that he had received a letter from the Bishope of St Androes to be at a meeting of some ministers. When he had answeired to all that the bishope could object, he requeisted the lords not to imprison him upon his owne charges. But the sentence was resolved upon before ever he compeered. So he and Mr Alexander were convoyed by the guarde to the Canongate, where they were forced to stay that night, and were not suffered to goe to their owne lodging; and the day following were convoyed by three of the guarde to the Castle of Dumbartan, where they entered upon the 26th of Julie.

The weill-affected ministers conveened out of all the quarters of

the countrie, directed the same day, to witt, the 23d of Julie, eight or nyne of their number to the Commissioners of Burrows, who were conveened in the Litle Kirk, to requeist them to stand to the liberties of the Gospell. They received faire words, but noe performance. One of the Bishop of St Androes his domesticks being present, went down and informed his maister, his maister informed the counsell; wherupon the ministers were to be charged by proclamation at the Crosse to depart off the toun within twentie-foure houres, under the paine of rebellion, least they staying, sould procure the opposition of manie to the ratification of the acts; wheras other subjects of the countrie, that had adoe in that the court of the parliament, were suffered to repaire to and remaine in the burgh. The tenour of the proclamation heir followeth:—

THE MINISTERS CHARGED OFF THE TOUN.

"At Halyrudhous, the 23d of Julie 1621.—Forsameikle as it is understandit to the Lords of Secrete Counsel, that some restless and busie persons of the ministrie, neglecting the charges of their owne kirks, and folks over the which they are bound in conscience before God, and duetie before men, to be carefull and diligent watchmen and overseers, has latelie made their addresse to this burgh of Edinburgh, where the estats of the kingdome in the high and soveraigne court of parliament are now assembled: And there some of thir ministers has not onlie ingyred, and in a maner intruded themselfs in the pulpits therof without a lawfull warrant or calling, but instead of wholesome doctrine for ædification of the present auditor, has fallen out in most injurious and unduetifull speeches against the sacred person of the king's Majestie, labouring thereby, so farre as in them lay, to possesse the hearts of the auditour with some badd opinion and construction of his Majestie's unspotted life and conversation: And not content therewith, they have their privie conventicles and meetings within this burgh; has obtrudit themselfs upon some of the estates of parliament, and in publict audience has prejudged his Majestie's most religious, sin-

cere, and lawfull proceidings, using solistations against his Majestie's just intentions; and has not onlie directlie, manifestlie, and avowedlie, done what in them lyes to call the sinceritie of his Majestie's disposition towards the true religion in question, but to inculcate and foster the same badd opinion in the hearts of his Majestie's good subjects, and so to crosse and hinder all his Majestie's proceedings in this parliament, which has noe other ayme but the glorie of God, puritie of religion, and weill of this kingdome. In which three points, the bypast experience of his Majestie's most happie governement will cleere the sinceritie of his Majestie's most religious disposition towards the glorie of God and the weill of his people, and will vindicate his Majestie from the malignant aspersions of his Majestie's unduetifull subjects. And wheras this forme of doing in a kingdome, where the puritie of religion has suche a free and uncontrolled libertie and progresse as it has in this kingdome under his Majestie's most godlie, wise, just, and happie government, is not suffered nor allowed, and has noe warrand of law, custome, nor observation elswhair, but may draw with it manie dangerous consequences, and raise up emulation and distastes betwixt his Majestie and his good people to their danger and harme: Therefore, the Lords of the Secrete Counsell ordaining letters to be direct to command and charge the whole ministers presentlie being in this burghe, except the ordinarie ministers of this burghe, and suche others as upon notorietie of their lawfull adoes heir sall procure a warrand from their ordinarie, and failying him, from one of the archbishops, to remaine and byde still heir, by open proclamation at the Mercat Crosse of Edinburgh, to remove and depart out of the said burgh within twentie-foure houres next after the said charge. And that they on noe wayes presume to repaire againe therunto during the time of this parliament, under the paine of rebellion. And if they or any of them failyie, the said space being past, to denunce, etc. Which denunciation, to be used at the Mercat Crosse of Edinburgh, sall be as sufficient as if it had beene used at the Mercate Crosses of the heid burgh of the shire where they dwell. Certifying them also, that after their denunciation

they sall be taken, apprehendit, wairdit, and punished accordinglie."

THE MINISTERS' RESOLUTION AFTER THE CHARGE.

The bishops were bound by their caveats, to doe nothing in parliament without the advise of the Generall Assemblie. But they laboured by all meanes that there sould be noe Generall Assemblie, to whose advise or consent they may be astricted. Yit before the last parliament, when the erections of the abbacies was to be called in question, ministers were invited and desired to come, to advise and assist: but now, when the Five Articles were to be ratified in parliament, they are so farre from seeking their advise or consent, howbeit they understood verie weill that the Assemblie of Perth, and the acts therof, were not acknowledged by the most part of the ministers and congregations; and that they had noe warrand from that Assemblie to seeke anie ratification, that they procured, as ye may sie, this charge to be fried of all that were contrarie myndit. There was at this same tyme a Hieland man, Alan Makeldow, cheefe of the Clan Cameron, a sorcerer, a murtherer, declared rebell and outlaw, and charge given to bring him into the counsel, and offer of five thousand punds to the apprehender, or of pardon, if he were lying under the danger of the lawes. Wherupon it was ryfe in the mouths of the people, that the parliament could not end weill, the beginning was so evill favoured: they were banishing God and bringing in the devill. Some zealous men of the ministrie understanding that suche a charge was to be published, thought good that a Protestation sould be made by word at the Mercate Crosse of Edinburgh, immediatlie after the proclamation. Others thought it not expedient. So a number of the ministrie, about threttie and above, conveened in a private hous, and resolved to leave Informations and Admonitions to the estates; and if the Informations and Admonitions wrought not the effect intendit, they agried upon a Protestation to be presented to the estates conveened. Howbeit it was granted by proclamation,

that so manie ministers as might procure a warrand from the bishope might bide still; yit when some craved his license, the bishope wold not grant it, unlesse they wold make a promise to make noe interpellation nor intercession, private nor publict, against the Five Articles. So, seing they could not stay by reason of the proclamation, nor depart with silence, they resolved as followeth:—

THE MINISTERS' INFORMATIONS AND ADMONITIONS TO THE PARLIAMENT.

"We, the ministers of Jesus Christ in his Hieness' kingdome of Scotland, being conveened from the quarters of the countrie, to concurre for the weill of the kirk, and according to the ancient custome therof observed before in parliaments, to consult upon weightie effairs, as the present case requireth consideration: And being charged at the Mercate Crosse of Edinburgh to remove furth of the said burrow within twentie-foure houres immediatlie following the said charge; as also, justlie fearing harder sequels to follow upon such beginnings, have concludit, according to the necessitie layde upon us, to leave our Informations and Admonitions to the honourable Lords of Parliament; attesting them, in the name of our Lord Jesus, to remember the labours and sufferings of their honourable predecessors, and to doe in the maters in hand, as they wold be accepted at his glorious appearance; and praying to the Father of Lights to open their eyes, and to incline their hearts to try things that differ, and approve things expedient."

The Informations and Admonitions left behind them were these following:—

"Your Honours assembled in this present parliament ought to abstaine from ratification and all corroboration whatsoever of Perth Assemblie, and acts therof, for the reasons following, and manie moe alledgit, and to be produced, if your great adoes could permitt:—

"1. It is but an Assemblie single, and in itself divyded. 2. In the forme of proceeding, not onlie different from others, but

directlie against the order established by the kirk. 3. In effect, contrarious to all Generall and Provinciall Assemblies, Presbyteries, and Sessions, as they are institute and have been holden in Scotland since reformation of religion within the same. 4. The caried sentence and acts therof are repugnant to the forme of religion received, beleeved, professed, established, and defendit by this kirk, and whole bodie of this realme, by your honourable predecessors of worthie memorie, and yourselfs, and practised universallie, and in the severall paroches of this kingdome, these sixtie yeers and above. *Non est a consuetudine recedendum facile, nisi ratione adversetur.* Muche lesse from a knowen truthe, directed and blessed by God in suche abundance of benefits, as the land hath injoyed with religion. Noe kirk, Protestant nor Lutheran, nor of other profession, Papist or whatsoever, will goe in a change, without some evident (at least apparent) reason of the Word. The change but of the old calender for the Pope's new one (and that is but a small thing) made a great hurly-burly both at Riga, in Croma, and at Augusta.

"2. Such ratification sould crosse and directlie prejudice the acts of Parliament 1592, and the provision expressed in the end of the act of Parliament 1597, and all other acts sett doun in favour of the jurisdiction of the kirk, libertie therof, assemblies, and discipline: *Item*, His Majestie's proclamation, published and printed at command of his counsel, 1605: *Item*, The Protestation made at Perth, 1606, and all others made before and since: *Item*, The covenant made by the ministers and professors of this kingdome, 1596 and 1597, and all other bands, wherby pastors and flocks have obliged themselfs, in persons and continuall practise, to stand to the forme of religion receaved and practised. *Tales legum mutationes* wold prove *legum vulnera. Quæ in suo statu eademque manent, etsi deteriora sunt tamen rectiora sunt. Reip. quam quæ per renovationen vel meliora inducantur.* And with what credite and constancie could your Honours confirme separation from your fathers, and the breache of ancient unitie and conformitie with your owne kirk, when it may be truelie said, '*Melius atque rectius olim provisum, et quæ convertuntur, in deterius mutantur?*'

"3. The reformers of this kirk, and such as by a long continuance follow them, laid a sure foundation, and buildit upon the same, without errour, notwithstanding of difficill times. It were our wisdome to goe fordward, and not backward; to strengthen, and not to weaken. David left not the arke where Saul left it, nor Solomon where David. If our fathers were in the way, our change is errour, and out of the way. And sall we say now, that our sound and ancient profession is *priscus rigor, cuiquam pares non sunt homines?* Constantin's course was more commendable. *Perfecit Constantinus quod Philippus jam cœperat.* It were our duetie, if our forbears had donè wrong, to practise the rule, *Quæ illicita a prædecessoribus inveniuntur, admissa in melius revocari oportet.*

"4. Observation of dayes, kneeling, etc., as they are straitlie injoyned, are voide of the necessarie properties required by the wisest fathers in a lawfull ceremonie, *ut fidei congruat, saluti proficiat, disciplinæ conducat.* So, in this kirk, neither are they necessarie, expedient, nor fitting the fraime of our reformation. They edifie not, they divide and destroy: in so farre as ceremonies being *testes religionis,* they are signes to the adversaries of the trueth, that we repent our reformation, which is not; and presages our returne to their damned corruptions, which by the grace of God we meane not, in substance or ceremonie. To reinduce them, say the divines of Germanie, is to disturb the peace of the kirk, to greeve the godlie, to wound the weake, to countenance Poperie by shew of inclination towards it, or commoderation with it. In neighbour kirks where they most prevaile, their removall is most earnestlie sought.

"5. In Perth Assemblie, they are concludit nòt as lawes binding either to fault or paine, but as admonitions or institutions. *Magnum est discrimen inter Ecclesiastica decreta, et politica, quorum necesse est illa minus obstringere consciencias. Nam in ecclesiasticis spectanda est ἀταξια. In politicis autem, parendum est, quamvis tu eam ἀταξιαν non videas.* Such ceremonies are *juris privati non publici.* Ilk man is bound in cònscience by word, first to discerne what is indifferent, and then to direct himself in the right use of

everie individuall thing for his owne edification. And if ministers and professors be restrained from that searche, and brought under a compelled obedience by the law, that were to revive the ancient servitude of German adiaphorisme, wherewith the godlie wold never suffer themselfs to be intangled. *Nulla lex sibi solam conscientiam justitiæ suæ debet, sed iis a quibus obsequium expectat.*

" 6. Our forbears finding the controverted ceremonies to be the mousswebbs of Poperie, and like the mowdiwarts in Thessalie, that overthrew a whole toun, *Quod in papatu dolendum, in reformatione auferendum putarent,* they not onlie tooke away Baal, but the calves of Dan and Bethel. They thought it noe wayes meete to follow Pilat's policie to please the Jewes with scourging of Christ, that they might keepe him alive. And will the Papist be pleased with scourging the doctrine by invections, etc., and taking againe some of these ceremonies? Will that preserve us against their heate breathed out against us as hereticks, and make us lurke under mitigation, as if we were now but schismaticks? '*Non est ad hunc modum in religione agendum,*' (sayeth one.) '*Tota enim repurganda est et ad vivum emendanda.*' And another sayeth, '*Atqui præstaret sepultum esse doctrinam ad tempus, quam sic flagellari.*' It is to be feared, that before long, that men disaffected to the ancient order sall further presume to give out other doctrine als well as new ceremonies.

" 7. Ratification wold compasse a great manie ministers and professors of this kirk betweene two dangerous straits: Either to practise against the trueth, as they understand it, and have walked in it, and against the personall bands whereby they have obliged themselfs to stand constantlie to the obedience of it, or els to fall under the breache of a civill law, more hardlie perhapps to be persued than the lawes against heresie, blasphemie, breaking of the Sabboth, etc. In such a case, as we are always readie in our goods and bodies, to the increassing and upholding of his Majestie's honour and estate, so, according to our possibilitie, and the occurant necessitie of his Hieness' effairs, we cheerfullie offer our best supplies and helpe. And for ease of our just greevances, and

fears of our Christian libertie from constraint of ceremonies, we humblie begge to have returned ratification of our ancient liberties of religion. Ceremonies sould be persuadit by reason, and not inforced by compulsion. *Propter externos ritus disciplinæ homines pios ferire, neque Domini est voluntas, neque purioris ecclesia mos.* In the name of the Lord Jesus, we require your Honours, that at this time ye walke in the maters of the kirk, as one day ye sall be judged duetifull, according to the Scriptures following: 'Beware of men, beware of evill workers.' 'Let noe man beguile you with intysing words.' 'Stand fast in the faith; quite you like men.' 'Be strong.' 'Stand fast in the libertie wherewith Christ hath made you free, and be not entangled againe with the yoke of boundage.' 'Hold fast the forme of sound words.' 'That good thing which is committed unto thee, keepe.' 'Contend earnestlie for the faith which was once given to the saints.' 'Seing ye know these things before, beware least ye fall from your owne steadfastness.' 'Strengthen the things which remaine, that are readie to die.' 'Remember how thou hast receaved and heard.' 'And hold fast, and repent.' 'If thou watche not, I will come upon thee suddanlie, like a theefe in the night, and thou sall not know what houre.' 'They have noe courage for the trueth upon earth,' Jer. ix. 3."

FYVE REASONS WHERFORE THE FYVE ARTICLES OF PERTH OUGHT NOT TO BE RATIFIED IN THIS PRESENT PARLIAMENT.

"First, Becaus that Assemblie was not lawfullie constitute, wanting a fundamentall priviledge of a lawfull Assemblie, in respect that, contrarie to the act of Generall Assemblie holden *anno* 1600, and *anno* 1568, bishops, barons, and burgesses voted not, being authorized with commissions from synods, presbyteries, nor sessions of kirks. His Majestie's letter directed to particulare barons and burgesses, without commission from their incorporations, could not give them vote in parliament, much lesse in the Generall Assemblie.

"Secondlie, Putting the case that these articles were indifferent, yit the Assemblie hath erred, in respect it hath concludit contrarie to the apostolick rule in things indifferent; which is, that the practiser sould not compell him that for conscience refuseth to practise, but also, least he offend him, sould forbeare to practise himself, '*Propter conscientiam non tuam, sed ipsius, dico,*' (1 Cor. x. 29.) 'If thy brother be greeved for thy meate, now walkest thou not charitablie. Destroy him not for thy meate for whom Christ hath died,' (Rom. xiv. 15.)

"Thridlie, Becaus the foresaid articles being determined *in alteram partem per circumstancias impeditivas* in themselfs, are unlawfull. The observation of it drawing with it a revolt, and a returning backe againe to Popish rites and ceremonies, a violation of our profession, subscriptions, and oathes, whereby we renunced them, a confirming of Papists in their errours, and putting them in hope of our coming to them in more substantiall points, a greeving of the hearts of all zealouslie affected, a preparative in the hearts of the commontie, (who measure religion more by externall maske of ceremonies, than by substantiall points of doctrine,) to the receiving againe of whole Poperie; a terrible renting of his kirk, inducing atheisme in place of religion, the people not knowing what to beleeve. And seing the observation of Yule obtrudit, which before discharged by act of parliament in all pulpits of Scotland, was sufficientlie declared to be the invention and tradition of man, to be will-worship, superstition, interteaning the people in an errour anent the birth of Christ, leading them to all sort of excesse and profanation: And geniculation, the first of the fyfteene ceremonies of the masse, *teste Bellarmino*, a gesture invented and ordained orlie by Antichrist, more than 1300 years efter Christ, as the principall externall worship of their breaden God, now enforced in the celebration of the Lord's Supper, under pretence of indifferencie, more reverence, and humilitie. As though we were not forbidden, *præcepto negativo*, to presume to give or receive the Communion more reverentlie than Christ and his disciples did. Or that we were not commanded, *præcepto*

affirmativo, to imitate Christ in all his religious actions, neither miraculous nor admirable, nor having a particular reason restricting them to that time; as though we were not warranted, *præcepto comparativo*, rather to imitate Christ with a table-gesture, in that holie banket, than Antichrist with a gesture of adoration inductive to idolatrie. Or as though a man were able to give a reason why the surplice, the crosse, and the elevation of the breade, may not als weill be received, (being of more antiquitie.) And if the minister having a surplice, with crossing elevate the breade, and the people bow their knee, what want we of a messe? *Ubi semel deerratum est, in præceps devenitur.*

"Fourthlie, Becaus, if the Highe Commission be emboldenned, by ratification of this parliament, to deprive ministers that will stand out against these ceremonies, being the greattest number of the best qualified, most painfull, and fruitfull of their calling in the land, what a lamentable desolation sall it draw upon this church! What a wound sall it be to everie godlie heart, to see their faithfull pastors deprived, wairdit, and banished, for giving the Communion as Christ gave it, and refusing to give it after the forme of Antichrist? Is this a time to obtrude antichristian ceremonies in the kirk, when the bloodie sword of Antichrist is imbrewed in the blood of so manie thousand Protestants in France and Germanie?

"Lastlie, Becaus it was never seene, that this parliament confirmed the Acts of an Assemblie, which they knew was called in question, not onlie by a great number of the speciall of the ministrie, but also by the greattest part of the most zealous professors of the whole bodie of the kingdome; as is manifest by the practise of Edinburgh, seeking the Lord's Supper in thousands without the citie."

ANE ADMONITION TO THE WELAFFECTED NOBILITIE, BARONS, AND BURGESSES, COMMISSIONERS IN THIS PRESENT PARLIAMENT.

"Doe not your Honours now at last perceive how mightilie the

mysterie of iniquitie, the spirit of Antichrist, the power of darkness and delusion, prevails amongst us, in the judgement of God, presuppose not in the intention of man, which we presume not to searche, but leave it to the Lord, the searcher of hearts? If Papists goe free who used to be fyned; if professors be counted Puritanes, and religion disgraced; if patrons of Poperie be sett at libertie, and the faithfull committed; if Seminarie preests goe abroade, and true pastors be confined and imprisoned; if sea-ports be patent to foreine Papists, and banished ministers ly unrecalled; if sundrie statsmen be small friends to true profession, and not unfriends to Papistrie; if time-servers and men-pleasers usurpe commission for Christ's kirk, being her greattest enemies; if Papists doe encroache, and professors grow cold; if it be discharged, that searche be made for messe preests, or that these foxes being discovered, sould be apprehendit, as your Honours may try, whose intelligence is better? Is not heere the sound of the feete of Poperie at the doores, wherinto the Lord hath long threatned to cast us? The discipline of Christ's Kirk is alreadie weill neere destroyed, and turned Antichristian, by the usurpation and tyrannie of our prelats. The worship of God is nixt, and now among your hands, which, if ye suffer to be polluted by the Romishe leaven of their unhallowed rites, as sundrie of the ministrie unwiselie have done, we may justlie feare the corruption of doctrine; and so all is gone.

"Consider, then, that the touchstone to try your love to the trueth is at this time the act concerning these cursed ceremonies, counted indifferent by manie, but in effect pernicious; the bringing backe wherof, by the confession of all, even of the urgers, is at least unnecessarie and untymous, and so, in religion, abominable and impious. But if we will say the trueth, it is, 1. A returning with the dogge to the vomite; 2. To Papists and professours scandalous; 3. Contrare to the Word, as is largelie proven by sundrie, and so presumptuous; 4. In regard of the present use, whersoever they are received, provin superstitious; 5. By reason of the oathe of God, which heirby is despised, blasphemous; 6. In

regard of the consequences, damnable and devilishe; and for the maner of their establishing by violence and craftiness, to all men who have eyes, odious.

"Which as your Honours in God's mercie have marked, so have you done weill, that being privilie tried, ye have not dissembled your dislike, both of the caus and of the crooked convoy of it; for well might ye know when supplicants were sent to prison, and trueth was misconstrued, and counted treasoun; when ministers were discharged of the toun, for fear of requeisting your Honours to stand for the Lord, litle good was to be looked, efter so godless a beginning. It rests now, that ye be constant and settled in the love of the trueth. By threatnings, by allurments, by hopes, by fears, touching your selfs and your faithfull pastors, and other endless ways of darkness, they studie to draw away and divert you, either to make you vote against Christ, or to be neutralls and *non liquets;* or to slide away, and deny your presence; by one meanes or other to draw you under the curse of Meroz, for not helping the Lord against the mightie. But the busier they are, the lesse freedome in this parliament; the lesse worth in their causes, the greatter is your triell, who stand to give testimonie to Christ; your faith the more precious, and your reward the more glorious. For God hath said, 'He that overcometh sall inherite all things, and I will be his God, and he sall be my sone.' But the fearfull (that is, suche as for the feare of man darre not give testimonie to the trueth of God) and the unbelieving sall have their part in the lake that burneth with fire and brimstone, which is the second death."

ANOTHER ADMONITION.

"Please your Honours, take heed what ye doe at this peremptorie time concerning the establishing of the unlawfull act of the pretendit Assemblie of Perth. Christ hath putt his caus in your hands. Be faithfull now, or never. Beware of bringing backe, and casting in again of this stumbling-blocke. The glorie of God, the standing of the kirk of this land, your owne soules, and the

soules of manie thousands for whom Christ Jesus died, is now in hazard, and depends muche (if ye looke to outward meanes) upon your fidelitie, wherof ye sall not want witness, neither in heaven or earth. The eyes of men and angells are upon you; the eyes of those who murne for the miseries of God's Kirk are longing for confort from you. And the Great Judge of the world, the Almightie, our God, whose eyes are as a flamming fire, doe behold everie man's part in this present parliament. Your votes, your names, your acts, sall be registrat to all posteritie. Ponder, therefore, the weight of the caus wherewith ye medle, and the fearfull inconveniences which doe accompanie, and sall follow, the ratification of the Acts of that pretendit Assemblie, that will befall the kingdome of Christ, his ministrie, the best part of sincere professors, your friends and familiars, your children and posteritie, and it may be also your owne persons, both spirituallie and civillie. For if, according to your places, in prudent and humble maner, ye doe not resist the establishing of that act by all lawfull meanes, ye cannot cleanse yourselfs of despising the oath and covenant of God, solemnelie sworne and subscribed by all estates, and of drawing doun the undoubted curse of God, which hastens now to come upon us, ye cannot be guiltless of incouraging and imboldening the Papists to higher attempts than we are warre of; yea, and of the greeving of the hearts of the king's best subjects, of brangling their faith, and casting them in perplexitie, how to serve both God and their native king. Ye cannot be guiltless of the thrusting out of faithfull ministers, and bringing in of young boyes, hirelings, and tim-servers, to the overthrow of the gospell, and the slaughter of soules. Ye cannot misse to draw the whole land in a snare, and in speciall the weaker Christians, who, by the force of civill law, must either suffer their goods to become a prey to worse subjects than themselfs, or at least, their meanes and estates to be so pilled and impaired by fines and penalties, as in a short time they sall neither be able to serve their king, their countrie, nor their owne necessities; or els, to controll and inthrall their consciences, to the destruction of their soules. Now is the time wiselie to prevent these things; which if ye doe, time sall ap-

prove you, God and good men sall acknowledge you in this point better Christians, better statesmen, better servants of God, more loyall and wise subjects to the king, better friends to kirk and commonweale, than they who, upon whatsoever pretences, sall either urge or yeeld to the contrarie. Resist, therefore, the establishing of ceremonies, as a re-entrie of Papistrie. Our neighbour countrie grones under the yoke which now is presented againe to their neckes, and wold redeeme the libertie which you have had, and yit, in some measure, injoy. It cost your predecessors manie a teare with God, and their uttermost endeavours with men, to purchase and transmitt this libertie unto you, and Christ hath bought it with his bloode for you. Count not so lightlie of it, as to lose it for a moment; but stand fast in the libertie wherewith Christ hath made you free, and be not intangled again with the yoke of bondage. Good subjects have noe just caus to feir for offence of a good king in maintaining God's right and their owne, so long as their caus is honest, and their defence lawfull. Stand, therefore, for the trueth, and confesse Christ before men, as ye wold that he sould confess you before the Father."

The Protestation agreed upon, in case the Informations and Admonitions above written had not wrought the effect intendit, heir followeth:

THE MINISTERS' PROTESTATION.

"We, the Ministers of Jesus Christ, in his Hieness' kingdome of Scotland, being conveened from all the quarters of the countrie, to concurre for the weill of the kirk, and, according to the ancient custome therof, observed in parliament, to consult upon the weightie effairs, as the present case requires tymous consideration: And being charged at the Mercate Crosse of Edinburgh to remove off the said burgh within twentie-foure houres immediatlie following the said charge; as also, justlie fearing harder sequels to follow upon such beginnings, have concludit the last remedie of protestation, wherof the tenour followes:—

"May it please your Honours in this present parliament

assembled, under the Right Highe and Excellent Majestie of our deir and dread Soveraigne: We have now before our eyes the foreseene and foretold bitter fruits of these alterations of the kirk, and just feare of further evills to ensue upon suche dangerous beginnings, so meikle the more, as we are deprived of that ordinarie aide of the Generall Assemblie, wherunto properlie belongs to propone at parliament the kirk's effaires. And although for supplement of that pitifull defect, in humble maner we did offer our reasonable supplication, conforme to his Hieness' proclamation, we can have noe place to be heard in our lawfull and religious desires, in this hard and heavie case. The sensible danger of our untymous silence, in these dayes of the growth of sinne, decay of grace, contempt of the gospell, and troubles abroad, moved by the most part by the patrons of that bloodie Councel of Trent; and the conscience of our inevitable compeirance before the judgement-seate of Christ, to give an account of our stewardship, compells us, as from highe extremitie, to declare to your Honours our bounden and heartie affection to hold fast our ancient faith, and forme of religion received, beleeved, and defended by the Kirk of Scotland, the king's Majestie, and the estats, the whole bodie of this realme, your forbears of worthie memorie, and yourselfs, as God's eternal trueth, and onlie ground of our salvation, and of our happie peace and prosperitie, by God's undeserved mercie so long continued. As also, our unfained detestation of all formes and ceremonies, manie or few, that enemies of the trueth may cast in our teeth, as signes of repentance of our reformation, or anie part therof, or presages to them of our returne to their damned superstition, either in substance or ceremonie therof. And likewise, in the name of Jesus Christ, who sall render to everie man according to that he has done in the fleshe, to require your Honours to stand steadfastlie for the said ancient religion, forme of doctrine, sacraments, and discipline, as they have beene ministred in this kirk ever since reformation of the religion; for the jurisdiction and libertie of the true kirk, Generall and Provinciall Assemblies, Presbyteries, and Sessions, as they are established by the lawes and kirk of this kingdome; and against all usurpation, and corrup-

tion of spirituall governement, and unnecessarie ceremonies, as the Five Articles of Perth Assemblie; and whatsoever is as apples of strife, and deadlie destroyers of the kirk of Jesus Christ.

"Otherways, if it sall happen (as God forbid) that anie mater be proponed, put in article, or concludit in this present parliament, in prejudice of the said religion, and acts of parliament past in favours of the samine, with sorrow, and sore against our heart, we will be constrained to use the remedie of protestation; like as adhering to the protestations to the parliament holden at Perth, in the yeer of God 1606, and to the protestation used in the last parliament, holden at Edinburgh, 1617, and to all others protestations whatsoever made in favours of this kirk, and against all hurts and injuries intendit against the samine: By thir presents, we solemnlie protest against all and whatsoever articles, acts, and others whatsoever, sall be propondit, concludit, and published in or fro this present parliament, in prejudice of the jurisdiction and libertie of the kirk, assemblies therof, order established, or anie part therof, or in favours of the usurped governement, and damned hierarchie of ceremonies and alterations whatsoever, concerning the ministration of the sacraments, or anie other point or practise of discipline receaved in this kingdome. And for due execution heirof, wills and requeists our welbeloved brother, Mr David Barclay, to subscribe and present the samine as effeirs, in open face of parliament, to the Lords of Articles, being conveened, and, if need be, to affixe the same upon the Parliament House doore, or Mercate Crosse of Edinburgh: To the effect that our reasonable disassent from all and whatsoever may in anie sort prejudge the forme of religion established in this kingdome may be notoriously knowne.

"At Edinburgh, the 25th day of Julie, 1621 yeirs."

"Mr David Barclay,

"Minister of the Evangell, in name of the brethren of the ministrie professing the religion as it has been receaved and practised since the first Reformation of the same in this kingdome."

The Informations and Admonitions above written made such impression in the hearts of manie, that few wold have consented to the ratification of the Five Articles in parliament, if they had beene left to their owne libertie, and not wrought upon by the Marqueis of Hammilton, the king's Grand Commissioner, Secretarie Hammiltoun, the bishops, and others that were sett on worke by them.

THE PARLIAMENT.

Upon Wednesday, the 25th of Julie, the estates marched in state from the Palace of Halyrudhouse to the Parliament House, the Tolbuith of Edinburgh. The Erle of Anguse caried the crowne, the Erle of Marre the scepter, and the Erle of Rothesse the sword. When they were ryding up the streete, a Papist directing his speeche to the Bishop of St Androes, cryed aloude, "God blesse you, my Lord, with all your brethren, and favourers of your course; for you and they are furthering the way to content his Majestie, and us all that are Catholicks, which God prosper! None resists but a number of evill disposed ministers." His words were not heard but by the neirest, by reason of the noise of the people. He and another bursted out likeways in these speeches: "When I come to Rome or to Avinion, to report how I have heard the ministers of Scotland discharged out of Edinburgh by open proclamation at the Mercate Crosse, in time of parliament, the newes will be so joyfull, that scarselie will they be beleeved by the Catholicks." George Fowles, one of the commissioners from Edinburgh, riding up the streete with the rest, fell from his horse. The horse fell above him, and bruised him. He was caried home, and lay in his bed a long time, with sore bakes and sides. But a worse than himself was chosen commissioner for him, Andro Scott, the chirurgien. Alexander Clerk was the other commissioner, conforme also, and corrupt eneugh. The Commission was caried before the Grand Commissioner in a velvet pocket, by the Lord Binning, eldest sonne to the Erle of Melrose. It was recommendit

to the care of the double guarde within and without, that noe minister wanting the bishop's license be suffered to enter into the Parliament House. Efter the members of parliament were placed in their owne ranks, that such ministers might be removed, in case anie had been suffered to enter, the Bishop of St Androes, efter a verie short prayer, redd a passage of Scripture, Rom. xiii. 7, and had a harangue, to persuade the estates to grant the taxation. The Grand Commissioner, the Marqueis of Hammiltoun, followed with his harangue. He laide open the king's great and extraordinar effairs; his continuall debursements for supplying the King of Boheme, the queene, and their mother; and continuall sending ambassadors to France, Germanie, and Spaine, to travell for peace among Christian princes; his extraordinarie aydes given to the German princes, to retaine them within the band of friendship and alliance; the charges of maintaining a sea navie under the conduct of Sir Robert Mansfield. He addit, that his Majestie sustained and suffered more for the persecutions and afflictions of the Protestants, and for the defence of the reformed kirks, than did all the princes of the world besides. Sundrie insinuations he used for a large supplie, and amongst the rest, that he had a warrant to give way to a good advise, whereby money might abound in the countrie efter the taxation. He spake of the Five Articles, under the name of maters of kirk discipline, which had been concludit in former assemblies, and practised in the primitive kirk, and were not forbidden by the Word of God; and, consequentlie, able to be defined by the prince, who hath lawfull power to command in things indifferent. He said, he doubted nothing of their good affection, and concurrence to his Majestie's reasonable desires, and that he wold let his Majestie know everie man's part. He promised in the king's name, that if they wold consent to the Five Articles they sould never be urged with moe ceremonies. Chancellour Setoun followed in the thrid place. Efter he had discoursed upon the honour of the auditorie, the qualitie of the royall throne, where the Commissioner satt, and had given the states everie one their owne due, he repeated some things touched by the Grand

Commissioner and the Bishop of St Androes, concerning the necessitie imposed of a liberall taxation, and expediencie to give way to the ordinances of the kirk. He alledged for his purpose that Numa was both king and priest. In end, he exhorted them to goe cheerfullie to the election of the Lords of the Articles.

The Grand Commissioner, the noblemen and the prelats, the chancelour, the thesaurer, the secretarie, and clerk of register, went into the Inner-House to choose the Lords of the Articles. The choise was not made of persons most indifferent, of best judgment, and noe wayes partiallie affected to anie partie, as beseemeth free parliaments and counsels. The bishops choosed eight of the nobilitie, Anguse, Mortoun, Niddisdaill, Wigtoun, Roxburgh, Balcleugh, Scoone, Carnegie. These choosed eight bishops, St Androes, Glasco, Dunkeld, Aberdeen, Brechine, Dumblaine, Argile, Orkney; and these together choosed eight barons and eight burgesses: barons, the Constable of Dundie, Sir Johne Hammiltoun of Lettock, the Laird of Inchmartine, Lyes, Burnet, Sir Robert Stewart, the Laird of Hatoun, the Laird of Lagge, the Laird of Prestoun; burgesses for Edinburgh, Alexander Clerk, Andro Scott; for Perth, Andro Gray; for Dundie, Mr Alexander Wedderburne; for Aberdeene, Mr David Rutherfurd; for Culrose, Sir George Bruce; for Glasco, James Inglis; for St Androes, Henrie Arthure; for Sterline, Duncane Patersone. The officers of estate, the chancelour, the thesaurer, privie seale, justice-clerk, the king's advocate, and the clerk of register, men readie to serve the king's humour, for the benefite they had by their offices, and hopes of greatter preferments, satt and voted with them, howbeit not chosen.

The Lords of the Articles ought to have begun at the effairs of the kirk, according to the custome; but they treate first of the taxation, hoping to induce such as were not affected to the ceremonies to a large subsidie, upon hope to be fried of the Five Articles. The Grand Commissioner had another harangue before them to the same purpose that [w]s] before. Three days were spent in reasoning, voting, presenting petitions, receiving answers,

and setting down conditions in favour of men fearing their owne hurt. But the Five Articles were quicklie past over, without regard had to the discontentment of the subjects, the present rent of the kirk, the sufferings of ministers, and the like inconvenences, which were like to increasse, by ratifying an act, or rather a simple advise of a null Assemblie, by a law. All that were upon the articles consented to the Five Articles, except the Laird of Prestoun, commissioner for East Lothian, the Laird of Lyes, Burnet, commissioner for the Mearnes, and Duncane Patersone, provest and burges of Sterline. It was thought that the Erle of Mortoun absented himself purposelie. Howbeit, the mater was caried away by pluralitie of votes, yit the Bishop of Aberdeene was not content that there was a contrare vote, and therefore brake furth in these words, "My Lords, there is some that must ever be singulare." He had said before in his harangue, that the Kirk of Scotland was in better case without these ceremonies than with them; "yit seing his Majestie will have them brought in, I protest upon my salvation and condemnation, there is no danger in using them. They are indifferent in themselfs, and, therfore, whosoever refuseth to give his Majestie obedience in using of them are contentious, and troublers of the peace and unitie of the kirk, and therefore worthie to be punished." He protested likways, that they were not to be urged with anie moe ceremonies, as the marqueis had promised before. It was replyed by a nobleman, that he was too liberall in his promises, without assurance of performance, for his Majestie wold not bind himself efter that sort. The cabinet counsel met daylie in the Abbay by sixe in the morning, and satt till nyne, to dresse maters that were to be treatted amongst the Lords of the Articles.

Notwithstanding there was good appearance that the articles sould pass in parliament, being agreed unto by the Lords of the Articles, yit the king's cheefe agents thought good to hold the parliament sitting, and the Lords of the Articles bussied with some thing for the fashion; that they might have leasure to deale with the members of parliament, and to procure their consent to

the Five Articles. The cheefe ringleaders, viz., the Marqueis of Hammiltoun, the secretare, and the bishops, imployed some treacherous intelligencers, to try such as were yit unknowne to them. These insinuated themselfs in the meetings of noblemen, commissioners of shires and burrows, and other occasionall meetings, rarer or more frequent, as occasion was offered. They counterfitted a dislike of Perth Articles, where they found anie to dislike them. So they learned men's names, natures, intentions. They wold seem to approve the things they heard, least they sould be suspected; and when they thought they were not suspected, they wold dissuade men craftilie from good motions and resolutions, with shew of agrement in the generall end. At night, they returned to their directours, and informed them what was everie man's disposition, that the ringleaders might know with whom to deale, or caus deale. Wherupon the noblemen, commissioners of shires and burrowes, were requeisted in an imperious maner to forbeare their meetings; or rather, were restrained from the necessarie use of the ancient priviledges granted to the severall states, to conveene by themselfs in time of parliament, for advising, reasoning, and preparing themselfs the more deliberatlie to vote in publict. It was promised, that they sould have inspection of whatsoever was past amongst the Lords of the Articles for their better information, at the least twentie-foure houres before the publict meeting; and they were injoyned not to meete without the Grand Commissioner's speciall consent. The Lords of the Articles were treatting in the meane time concerning sumpteous banketing, silk pasments, or other maters of small importance; or went to hunting, hawking, or fowling, some of them, when their mindes were sett upon nothing lesse than games or pastimes. The Grand Commissioner, the secretare, the elleven bishops, (Murrey and the Iles were absent,) laboured with the commissioners, voters in parliament; none so busie as the secretare, both night and day. Some were allured with faire promises to promise consent; others were so terrified, howbeit otherwise well affected, that they left the toun; some to eschew importunate requeists departed off the

toun. Sir Johne Hammiltoun, Laird of Prestoun, having voted against the Five Articles, in presence of the Lords of the Articles, the marqueis, his cheefe, and the secretare, dealt with him to recall his vote in publict. The more earnest they were, he was the more constant, and answered, he was readie to serve his Majestie and them with his life, lands, and all that he had; but he wold not offend God wittinglie and willinglie for the pleasure of man, and make to himself a hell in his owne conscience. The Bishop of Dumblane was sent to him efter, and efter him the Lord Scoone, but they prevailed not. Then the secretare desired him to absent himself. He answered, "I will not: I will stay and beare witness to the trueth. I will render my life and all that I have before I recall one word that I have said. But if ye will charge me with letters of horning, or with a macer to waird, or to depart, I will obey." "Weill, Sir," said the secretare, "ye sall not bring me within that compass. We sall make both you and your instructour (meaning Mr Johne Ker, minister at Salt Prestoun) to repent it." Some who obstinatlie refused when they were chosen by their shires to accept commission, and had taken instruments upon their refusall, yea, had sworne, neither to ryde nor vote in parliament at that time, were induced both to behave themselfs as commissioners and to vote for the Articles. The Laird of New Listoun refused to accept a commission; yet was he admitted commissioner, and by his affirmative vote, frustrated the negative of the right commissioner, that honourable baron, the Laird of Dundasse his vote. In the meane time, the king lying neere to York, of purpose to receive speedie advertisment, was informed how maters went.

The brute was spred, that the parliament was to sitt longer nor was looked for. But suddenlie, without the knowledge, and beside the expectation of manie of the members of parliament, Saterday the 4th of August was appointed to be the last ryding day. Upon Satterday the 4th of August, betwixt three and foure in the morning, there was a pitifull cry heard in the streets of Edinburgh, people crying, "Fy for helpe! fire, fire!" Manie were raised out of their beds with the sound of the commone bell, and come furth

in armes, barefooted to the streete, thinking verilie that the people had made some insurrection. These that were in the highest places, and had their hands deepest in the present course, were in greatest perplexitie, till they understoode that the people had noe other intention but to quenche a fire, whereby a tenement of land at the new well in the Cowgate was brunt without recoverie. This accident was taken for a forewairning to the estates to take heid what they did. Manie people being conveened in the utter court of the Palace of Halyrudhouse to behold the solemnitie, observed, that when the Lords were mounted upon their horses, a swanne did flie over their heads from the north toward the south, flaffing with the wings, and muttering her naturall song. The people whispered among themselfs, shaking their heads, that they feared a badd conclusion of that parliament. The Laird of Prestoun, of whom we have made mention before, being sett upon horsebacke, the secretare sent his brother, Mr Johne Hammiltoun, accompanied with a number of his servants, to command him to light, and to let him have his footmantle againe, which he had borrowed from him before the parliament. But the Laird of Prestoun, thinking the footmantle not seemlie, becaus it was onlie of cloth pasmented, had borrowed from another one of velvet. So they came to him and craved the footmantle imperiouslie. He answered, "This is not my Lord's footmantle: his is of cloth; this, ye see, is of velvet: if ye please, I sall send presentlie one of my servants to my chamber up in the toun, where my Lord's footmantle lyeth foldit up, and it sall be rendered to him." They reported his answeir to the secretare. But they went again at the secretare's direction with a new charge, and said, "My Lord affirms that which ye ride on is his, and, therefore, ye must light." He answeired, "If ye make me light, I sall make all Scotland heare of it." Then they called him to sweare that it was not my Lord's. He answeired, "Ye sall not make me sweare: goe tell my Lord, I sall be als true as anie Hammiltoun in Scotland." The secretare sent to him the thrid time again to understand what place he wold take in ryding or sitting. When he perceived that the secretare

wold pick a quarrel, if he had taken that place that day which he did the other day amongst the most honourable of the barons, and so accuse him of disorder, and therupon charge him to waird, or not ride, he sent his answeir, that he sould take such a place as sould not be quarrelled; and so he did, riding amongst the meanest barons. So the secretare, fullie bent to disgrace him, becaus he wold not grant to recall his vote, was disappointed. They come riding up the streete before halfe the toun of Edinburgh was gathered to attend upon them.

When they were entered into the Parliament House, the noblemen, according to the custome, went in to the Inner-House, and came furth to the Utter-House by degrees to their places. But the Erles of Mortoun, Buchane, and the Vicount of Lauderdaill, stayed in the Inner-House till the kirk's part was acted, and God's worship through her sides had received a deadlie wound; and then came furth to their owne places to play their part in civill maters. Mortoun and the Vicount lay by, more for the pleasure of the marqueis nor for feare to displease the king. The Erle of Buchane was restrained by his father, the Erle of Marre, and in token of restraint, brusted furth in teares, as is reported. There was a question betuixt two lords, both lovers of the trueth. It was thought they wold rather losse their votes than quite their claime; yit they packed up the controversie for that time for the love that they had to the trueth. The entrie to the Parliament House was straitlie keeped, least anie minister sould enter without the bishop's paspott. The Bishop of St Androes his domestick, Andro Hay, was sett over the inner barre to debarre all ministers that were suspected readie to present a protestation. The Bishop of St Androes required the chancellour and marishall of the house to discharge all ministers that were within. One being challenged by the marshall, answeired, "My Lord, ye take me for the wrong man: the bishop himself brought me in." Mr David Barclay, minister at St Androes, was the man that was appointed by the ministers to give in the protestation. He gott entrie but with great difficultie, als farre as the uttermost barre, where he stayed

almost halve an houre waiting upon occasion to come neerer; but in end was removed from the barre, and putt out at the doore. He being debarred of accesse, fixed a copy of the protestation above written upon the doore of the Tolbuith or Parliament House, and another upon the Crosse.

Efter that all were sett in their owne places, the Grand Commissioner, the Marqueis of Hammiltoun, had an haraunge, wherin he was earnest in exhorting them to yeeld to the Five Articles concludit at Perth Assemblie; made apologie for the king's sinceritie in religion; attested, there was nothing under the heaven could be so acceptable to his Majestie, as that the Kirk of Scotland wold receive the Five Articles; and said, he wold ingadge his honour, faith, and credite upon that princelie word which his Majestie past him, That if they wold receive these Five Articles at that time, his Hieness wold never burden them with anie more ceremonies during his liftime. The chancellour following, shewed that it was the custome in all parliaments, that maters of the kirk sould be first treatted: commendit the king's care he had of religion and the kirk; proved as he could the articles to be lawfull, and alledgit, they required not much reasoning, being alreadie concludit by learned bishops, fathers, doctors, and pastors, conveened at Perth for that effect. But in verie deed he was mocking! The Grand Commissioner did againe affirme that his Majestie willed him to signifie to them, that these articles being once concludit, he wold urge noe other rite nor ceremonie; and therfore willed them to shew their loyaltie by according to these; and requeisted them to take heid how they voted. Noe place was left for reasoning. The promise made to the nobilitie to have inspection of the conclusions of the Lords of the Articles, twentie-foure houres at least before the publict voting, was tymouslie remembered by * * * that they might give their voting with advisement, and not give sudden judgement like als manie ciphers, as they were like to be made by that forme of suddane proceiding. But this motion and all further deliberation was bitterlie repelled. Albeit the Five Articles were different in themselfs, and the most part had sundrie

opinions concerning them, yit were they trussed up all in one bundell, that the weightiest might seeme to be of noe greater weight than that which was least resisted, and so were redd to the voters. The like course was putt in practise at Perth Assemblie; the like also in another case was used at the same parliament; for all were most willing to the ordinar taxation, but sundrie thought hard of the extraordinar. Yit both were propouned together. The voters were discharged here, as at Perth, to give anie reason for their votes, that so the conclusion might pass by number, and not by weight of voices. They were directed to expresse their voices in these words, "AGRIE," "DISAGRIE." It came to pass that the wyde opening of the mouth at *a*, the second syllabe of Disagrie, did eate up the first syllabe, speciallie in these who did speake with a low voice, being threatned and boasted with minassing eyes and looks of the secretare; and so the negative were noted as affirmative, Agrie for Disagrie. In calling the roll and marking the votes, the distinction of the three severall estates was not observed, but the names promiscuouslie called, that the conclusion might be made up of pluralitie of personall votes, without respect had to their corporations. The Duke of Lennox was called first, and the Erle of Marre voted for him affirmativelie: nixt followed the elleven bishops, who likways all agreed; and efter voted the noblemen. The Erle of Melrose, secretare, voted for two Englishmen that were never in Scotland but within this halfe yeir; the one was made Vicount of Dunbar, the other Vicount of Falkland, in time of the convention holden in November 1620. My Lord Carnegie voted for my Lord Cranstoun and for my Lord Ramsay *affirmativè*, but not according to their minde, as is reported. This kind of voting by proxies came in but of late among us. In the last parliament, the king procured an act to be made, to dispense with the penaltie of noblemen that cannot be always present at the parliament; and that in time to come they send their voices with some of their æquals in honour. When the chancellour desired some that spake not out distinctlie for feare, to speake out frielie, the secretare said, "Nay, my Lord, let them alone; those

that will not speake out, let the clerk marke them as consenters:" and so were some of them indeid. How the votes were gathered, the clerk will be answerable to God one day, and some of them have alreadie made their answeir to the Great Judge. But if they had wanted their proxies, and the votes of the officers of estate, they had succumbit. We will heir subjoyne the names of the voters, to the honourable rememberance of the disassenters, and ignominie of the assenters.

THE NAMES OF THE COMMISSIONERS AT THIS PARLIAMENT VOTING FOR OR AGAINST THE FIVE ARTICLES, OR NOT VOTING AT ALL, BECAUSE NOT PRESENT.

BISHOPS.

St Androes,	*Grants.*	Argile,	*Gr.*
Glasco,	*Gr.*	Orkney,	*Gr.*
Dunkell,	*Gr.*	Caithness,	*Gr.*
Aberdeene,	*Gr.*	Rosse,	*Gr.*
Brechine,	*Gr.*	Galloway,	*Gr.*
Dumblane,	*Gr.*		

NOBLEMEN.

Duke of Lennox, Erle of Marre his procurator,	*Gr.*	Kellie, Chancelour his pro^{r}.,	*Gr.*
Chancelour,	*Gr.*	Wigtoun,	*Gr.*
Anguse,	*Gr.*	Kinghorne,	*Gr.*
Erroll, Marre his pro^{r}.,	*Gr.*	Roxburgh,	*Gr.*
Marshall, Marre his pro^{r}.,	*Gr.*	Abercorne,	*Gr.*
Marre,	*Gr.*	Balcleugh,	*Gr.*
Rotheise,	Refuses.	Melrose,	*Gr.*
Mortoun.		Lothian,	*Gr.*
Buchane.		Perth,	*Gr.*
Menteith,	Ref.	Eglintoun,	Ref.
		Niddisdaill,	*Gr.*

Wintoun, *Gr.*
Tillibardine, *Gr.*
Linlithgow, Eglintoun his procurator, REF.
Kintaile, REF.
Boyde, *Gr.*
Spynie, *Gr.*
Gray, Spynie his pro^r., REF.
Ogilvie, *Gr.*
Scone, *Gr.*
Carnegie, *Gr.*
Rosse, REF.
Yester, REF.
Cathcart, REF.
Garleis, *Gr.*
Cowper, REF.
Burlie, REF.
Balmerinoche, REF.
Elphingstoun, REF.
Torphichin, REF.
Halyrudhous, *Gr.*
Sanquhare, *Gr.*
Forbese, Elphingstoun his pro^r., REF.
Kinlosse, Sanquhare his pro^r., *Gr.*
Kinclevin, Carnegie his pro^r., *Gr.*
Cranstoun, Carnegie his pro^r., *Gr.*
Ramsay, Carnegie his pro^r., *Gr.*
Dingwall, * * * his pro^r., *Gr.*
Hærese.
Montrose.
Glencarne.
Olyphant.
Colvine.
Lowdoun.
Lovatt.
Borthwicke.
Blantyre.
Clerk of Register, *Gr.*
Privie Seale, *Gr.*
Justice-Clerk, *Gr.*
Advocate, *Gr.*

SHERIFDOMES.

Innernesse, George Monro of Tarrell, REF.
Cromartie.
Nairne.
Elgine.
Bamfe, Laird of Carnowsell, *Gr.*
Aberdeene, Bruinx, *Gr.*
Kincarne, Lairds Arbuthnot and Lyes, REF.
Forfare, Lairds of Powrie, Fotheringhame, and the Constable of Dundie, *Gr.*
Perth, Lairds of Duntrub and Inchmartine, *Gr.*
Stratherne.
Menteith.
Fyfe, Lairds Newtoun and Balfour, REF.
Kinrosse.
Clackmannan.

Sterline, Lairds of Dunipace and Keir, REF.
Hadintoun, Laird of Prestoun and Sir Robert Hepburne, REF.
Lanerche, Sir Jhone Hammiltoun and Calderwode, *Gr.*
Renfrew, Lairds Bishoptoun and Foulwode, REF.
Dumbartane, Ardoche and Lusse, REF.
Argile.
Bute, Kilcattan and Paul Hamiltoun.
Air, Carnell and Blair, REF.
Kyle, Stewart.
Carict.
Cunninghame.
Wigtoun, Barnbaroch and Bombie, *Gr.*
Kirkudbright.
Dumfreise, Hempsfield and Lagge, *Gr.*
Annandaill.
Linlithgow, Newlistoun, *Gr.*
Dundasse, REF.
Edinburgh, Lugtoun, *Gr.*
Hatoun, REF.
Berwik, Swintoun and Wedderburne, REF.
Roxburgh, Laird Riddell and the Sheriffe, *Gr.*
Salecreke, Galasheils and Torwodlie.
Peibles, Traquair and Sir Robert Stewart, *Gr.*

BURROWES.

EDINBURGH, Alexander Clerk, *Gr.*
PERTH, Adam Gray, *Gr.*
DUNDIE, Mr Alexander Wedderburne, *Gr.*
ABERDEENE, Mr David Rutherfurd, *Gr.*
GLASCO, James Inglis, *Gr.*
ST ANDROES, Henrie Arthure, *Gr.*
DYSERT, David Simsone, REF.
LINLITHGOW, Andro Bell and John Glen, REF.
AIR, Hew Kennedie, REF.
HADINTOUN, Mr James Cockburne, REF.
CHURCHALDIE, Thomas Lamb, REF.
MONTROSE, William Ramsay, REF.
COWPER, Robert Patersone, REF.
ANSTRUTHER, Robert Merser, REF.
DUMFREISE, Johne Corsser, *Gr.*
INNERNESSE, Mr Johne Rosse, REF.
BRECHINE, David Lindesay, *Gr.*

IRWINE, Robert Browne, REF.
ELGINE, Mr Johne Hay, *Gr.*
JEDBURGH, Mr Johne Rutherfurd, REF.
KIRKUDBRIGHT, David Arnot, REF.
WIGTOUN, Johne Turnour, *Gr.*
PITTINWEIME, Wal. Airth, REF.
DUMFERMLINE, Mr Thomas Wardlaw, REF.
DUMBARTANE, Thomas Fallowdaill, REF.
RENFREW, William Summervaill.
LANERCKE, Gavine Blair, REF.
ARBROTH.
BRUNTILAND, William Meiklejohne, REF.
PEEBLES, James Williamsone, *Gr.*
CRAILL, Alane Cunninghame, REF.
KINGHORNE, James Boswald, REF.
THAYNE, Hector Dowglas, *Gr.*
ANSTRUTHER WESTER, Robert Richardsone, REF.
SELCRAIKE, William Ellot, *Gr.*
CULROSE, Sir George Bruce, *Gr.*
DUNBAR, George Purves, REF.
BAMFE, Mr Alexander Craig, *Gr.*
QUHITTERNE.
FORFARE, Mr David Peirsone.
ROTHSAY, Matthew Spence.
FORRESSE, William Forsyth.
RUTHERGLEN, Jhone Pincarton, *Gr.*
NORTHBERWICKE, George Baillie, REF.
CULLOME.
NAIRNE, Walter Hay.
LAWDER, Charles Murray, *Gr.*
INNERKEITHING, William Blaikburne, *Gr.*
KILRINNIE, Normand Lindsay, REF.
SANQUHARE, Nicole Cunninghame, *Gr.*
ANNAND, David Miller, *Gr.*
LOCHMABENE.
STERLINE, Duncan Patersone, REF.
KINTORE, Jhone Leslie.
INNERCROMARTIE, Jhone Badzenot.

A RATIFICATION OF THE FIVE ARTICLES OF THE GENERALL ASSEMBLIE OF THE KIRK HOLDEN AT PERTH, IN THE MONETH OF AUGUST 1618.

"Our Soveraigne Lord, with advise and consent of the estats of parliament presentlie conveened, ratifies and approves t e

acts of the Generall Assemblie of the Kirk holden at Perth, the 25th day of August, the yeir of God 1618 yeirs, and concludit the 27th of the same moneth, *Sessione secunda;* wherof the tenor followeth:—

"1. Seing we are commandit by God himself, that when we come to worship him, we fall doun and kneele before the Lord our Maker; and considering withall, that there is noe part of divine worship more heavenlie and spirituall than is the holie receiving of the blessed bodie and blood of our Lord and Saviour Jesus Christ; like as the most humble and reverent gesture of the bodie in our meditation, and lifting up of our hearts, best becometh so divine and sacred an action: Therefore, notwithstanding that our kirk hath used, since the reformation of religion, to celebrate the Holie Communion to the people sitting, by reason of the great abuse of kneeling used in the idolatrous worship of the Sacrament by the Papists; yit now, seing all memorie of bypast superstition is past, in reverence of God, and in due regard of so divine a mysterie, and in rememberance of so mysticall an unioun as we are made partakers of, the Assemblie thinketh it good that that blessed Sacrament be celebrate heirafter meeklie and reverentlie upon their knees.

"2. *Item*, If anie good Christian visited with long sickness, and knowne to the pastor, by reason of his present infirmitie unable to resort to the kirk for receiving of the Holie Communion; or being sicke, sall declare to the pastor upon his conscience, that he thinkes his sickness to be deadlie; and sall earnestlie desire to receive the same in his house, the minister sall not deny to him so great a confort, lawfull wairning being given to him the night before, and that there be three or foure of good religion and conversation, frie of lawfull impediment, present with the sicke person, to communicate with him; who must also provide a convenient place in his house, and all things necessarie for the reverend administration therof, according to the order prescribed by the kirk.

"3. *Item*, The minister sall often admonishe the people, that they defferre not the baptisme of infants anie longer than the nixt

Lord's day efter the child be borne, unless upon a great and reasonable caus declared to the minister, and by him approved: as also, they sall wairne them, that without great caus, they procure not their children to be baptized at home in their houses, (in which case, the minister sall not refuse to doe it, upon the knowledge of the great need, and being timelie required thereto,) the baptisme sall be administred efter the same forme, as it sould have beene in the congregation. And the minister sall the nixt Lord's day efter anie suche private baptisme, declare in the kirk, that the infant was so baptized, and therefore ought to be receaved as one of the true flocke of Christ's fold.

" 4. *Item*, Forasmuche as one of the most speciall meanes for staying the increase of Poperie, and settling of true religion in the hearts of the people, is, that a speciall care be taken of triall of young children their education, and how they are catechized; which in time of the Primitive Kirk was most carefullie attendit, as being most profitable, to caus young children in their tender yeers drinke in the knowledge of God and his religion, but is now altogether neglected, in respect of the great abuse and errours which crept into the Popishe Kirk, by making therof a Sacrament of Confirmation: Therefore, that all superstitions buildit therupon may be rescindit, and that the mater itself being most necessarie for the education of the youth, may [be] reduced to the primitive integritie, it is thought good that the minister in everie paroche sall catechise all young children of eight yeers of age, and see that they have the knowledge, and be able to make rehearsall of the Lord's Prayer, Beleif, and Ten Commandements, with answers to the questions of the Small Catechisme used in our kirk; and that everie bishop in his visitation sall censure the minister who sall be found remisse therin. And the said bishops sall caus the said children to be presented before them, and blesse them with prayer for increasse of their knowledge, and continuance of God's heavenlie graces on everie one of them.

" 5. *Item*, As we abhorre the superstitious observation of festivall dayes by the Papists, and detest all licentious and profane

abuse therof by the commoun sort of professors, so we thinke that the inestimable benefits received from God, by our Lord Jesus Christ, his birth, passion, resurrection, ascension, and sending doun of the Holie Ghost, was commendablie and godlie remembred at certane particular dayes and times by the whole kirk of the world, and may be also now. Therefore, the Assemblie ordaines that everie minister sall upon those dayes have the commemoration of the foresaid inestimable benefites, and make choice of severall and pertinent texts of Scripture, and frame their doctrine and exhortation therto, and rebuke all superstitious observation and licencious profanation therof.

"Which articles and ordinances our Soveraigne Lord, with advise of the estates, statues and ordaines it to be obeyed and observed, by all his Majestie's subjects, as lawes in time coming; annulling and rescinding whatsomever other acts of parliament, constitutions, and customes, in so farre as they are derogative to anie of the articles above written."

It is to be marked, that the last words wherin the acts made in former times against superstition were rescindit and annulled, so farre as they were derogatorie to anie of the articles above written, were neither voted nor redd in parliament. Always it appeareth by their owne confession, that some of them was concludit repugnant to the former acts of parliament concerning God's worship; which some doe altogether deny. Nixt, howbeit it was usuall and ordinarie in all parliaments since the Reformation, and was now necessarie, that the liberties of the kirk were ratified, the libertie of assemblies and discipline, of triall and punishment of the adversaries of true religion, yit no mention was made in the ratification of them. Others acts made at this parliament we omitt. The ratification of the priviledge of the burrowes was denyed to suche commissioners of burrowes as disassented from the articles, and was granted to others.

GOD APPEARED ANGRIE AT THE CONCLUDING OF THE ARTICLES.

When all the acts were now concludit, and the ringleaders were insulting upon the defenders of the ancient orders; gaiping for thankes and rewaird, and wishing everie one to have wings to flie to court with the report, the Grand Commissioner rising from the throne to ratifie the acts by touche of the scepter, at that same verie moment the heavens sent in at the windowes of the house, which was darke before, by reason of the darkness of the day, an extraordinarie great lightning: efter the first, a second, and after the second, a thrid more fearefull. Immediatlie efter the lightenings followed an extraordinarie great darkeness, which astonied all that were in the house. The lightenings were secondit with thrie lowde cracks of thunder. Manie within the Parliament House tooke them to be shotts of cannons out of the castle. It appeared to all that dwelt within the compass of ten or twelve myles, that the clouds stoode right above the toun, and overshadowed that part onlie. The beacon standing in the entrie of Leith haven was beatten down with one of the blasts of thunder. Efter the lightening, darkness, and thunder, followed a showre of hailstones extraordinarie great; and last of all, raine in such abundance, that it made the gutters runne like little brookes. The lords were imprisoned about the space of an houre and an halfe. Servants rode home on the footmantles, and the maisters withdrew themselfs, some on coache, and some on foote. So the Five Articles were not honoured with the carrying of the honours, or ryding of the estates in ranks. In the meane time, the castle thundered with their fyred cannons, according to the custome used at other parliaments. This Satterday, the 4th of August, was called by the people, "Black Satterday." It began with fire from the earth in the morning, and endit with fire from the heaven at even. When the feare was past, then durst atheists scoffe and say, that as the law was given with fire from Mount Sinai, so did these fires confirme their lawes.—O horrible blasphemie!

REPORT CARIED TO COURT.

That same night the parliament endit, the Lord Scoone and Doctour Young posted to court. Scoone cousened the doctour, and prevented him. But Sir George Hay, Clerk of Registre, now chancelour, prevented them both by a letter. Always Sir David Murray, Lord Scoone, was made Vicount of Stormonth, for that and other good services. The day following, the Erle of Marre tooke journey to court. The Bishop of St Androes went to Leith that night that the parliament endit, and according to his custome of profaining the Lord's day, crossed the ferrie at Leith upon the Lord's day, the 5th of August.

The people hearing that the Marqueis of Hammiltoun was appointed the king's commissioner for holding of the parliament, called to rememberance the prophecies following, and had them frequentlie in their mouths during the time of the parliament:—

"O wretched Scott, when Keggow turns thy king!
Then may thou doole and dolour daylie sing;
For from the South great sorrow sall he bring,
Therfore o'er Scott right short sall be his ring."

And,—

"The time will come, I trow, as Thomas sayes,
Heardmen sall hunt you up through Gartings Gill,
Casting the padle, and letting the pleughe stand still."

THE ACTS PROCLAMED.

Upon Monday, the 20th of August, the acts of parliament were proclamed at the Mercate Crosse of Edinburgh. The tempest, raine, thunder, and lightening, were renewed, and continued all the time of the reading of the acts at the Crosse. Als soone as the ratification of the acts of Perth was endit, Doctour Barclay affixed

a coppie of the protestation above written upon the Crosse, and another upon the kirk doore, the thrid upon the Palace gate of Halyrudhous, wherupon he tooke instruments with all necessarie solemnities, using the words following:—"Heir, in the name of the brethren of the ministrie professing the religion as it hath beene practised in our kirk since the reformation of the same, I protest against all these things that have beene concludit in prejudice of our priviledges since the first reformation therof; and adheres to my former protestation made and affixed on the Tolbuith doore and other places, and to all the protestations made in favours of the kirk in the time of preceiding parliaments."

MR W. ARTHURE SUMMONED BEFORE THE HIE COMMISSION.

The same day, Mr William Arthure, minister at the West Kirk, went over to St Androes to compeir before the Hie Commission, becaus he refused to give some proofe sermons in Edinburgh, seing he was putt on the leits. He answered, he was resolved not to conforme, and, therefore, it was not expedient he sould accept that charge. The bishop willed him to advise better, and shewed him a letter which the king had sent to him, wherin he injoyneth him rigourous execution of the acts. The copie of the letter heir followeth:—

THE KING'S LETTER TO THE BISHOPS.

"Right Reverend Fathers in God, right trustie and welbeloved Counselours, we greete you weill.—Salomon says that everie thing hath a time, and, therefore, certanlie the last letter which we received from you was written in an unseasonable time, being fraughted with nothing but greeves and expressions of affection, like the Lamentations of Jeremie, in that verie instant when both we and ye had winne so great and so honourable a victorie against the enemies of all religion and good governement; considering also the verie time, which was the evening of the fyft of August. The

greatest mater the Puritanes had ever to object against the church governement was, that your proceedings were warranted by noe law, which now by this last parliament is cutted short; so the heirafter, that rebellious, disobedient, and seditious crew must either obey or resist both God, their naturall king, and the law of their countrie. It resteth, therefore, with you to be incouraged and conforted by this happie occasion; and to losse noe more time in preparing a settled obedience to God and us by the good endeavours of our commissioner, and others true-hearted subjects and servants. The sword is now putt into your hands: goe on therefore to use it; and let it roust noe longer till ye have perfited the service trusted to you, or otherwise we must use it both against you and them. If anie or all of you be faint-hearted, we are able eneugh (thanks to God) to put others in your places, who both can and will make things possible which ye think so difficult. Ye talke of the increase of Papistrie: yourselfs can best witness what direction we gave for suppressing of them by the Bishop of Dumblane when he was last with us. We appeale the conscience of everie one of you if we have given anie toleration in that caus, or required either our counsell or you to be slow or slacke in that bussiness. But as Papistrie is ane disease in the minde, so is Puritanisme in the braine. So the onlie remedie and antidote against it will be a grave, settled, uniforme, and well-ordered church, obedient to God and their king, able to convert them that are fallen away, by plucking out weeds of errour out of myndes, and confirme the weaker sort by doctrine and good exemple of life. To conclude, we wishe you now to goe forward in the action with all speede, and not to shew yourselfs counterfuted now when ye had never so little reason, we having for your further incouragement given commandement by our letters to our counsel to assist you, als weill in the repressing of obstinate Puritanes as in the execution of all wholesome lawes made against all Papists, specialie traffeeking preests and traiterous Jesuits; and we expect to heare hereafter from time to time what ye have acted, and of your good successe, and not to be troubled anie more with questions and

conceits.' The persons which ye are presentlie to begin with are the more rebellious and seditious sort, as they sall deserve; and as for these that sall pretend greater calmness, but yit not resolved to obey, they must be putt to it within a reasonable time, and in the meane while transported from places of danger. Thus, wishing you stout hearts and happie successe, we bid you fairwell.

"Given at Bussard, the 12th of August 1621."

THE MINISTERS OF EDINBURGH INVEIGH AGAINST THE PEOPLE.

The ministers of Edinburgh, since the dissolving of the parliament, inveyghed bitterlie against the people, and charged them falselie, that they desired to heir none but suche as wold speake evill of the king. Mr William Struthers said, "We are persecute with your toung: we are sett up as a paper on a butt that is holed and shott through by you. Lord, thou knowes it is for speaking of the trueth. If it be not true which I speake, Lord, confound me heir where I stand!"

MR R. BRUCE WAIRDIT IN THE CASTLE OF EDINBURGH.

Upon the 29th of August, which was the counsel day, there was a letter redd in the counsell which was sent from the king, wherin he willed Mr Robert Bruce to be cited for breaking the bounds of his confynment, and coming to Edinburgh in time of parliament to move sedition. He was summoned to compeir on the 19th of September. He compeired, and was accused in the summons which was redd, of contempt, sedition, and breaking of his confinement. He summed up the libell in few words, to witt, a challenge of a seditious contempt, which he denied absolutelie, and shewed that he was never mindit to contemne the meanest magistrate, let be the greattest, for he had layde his count never to come within the compas of lawes. He shewed he had his Majestie's letters yit keeping, wherin he acknowledged himself so muche obliged to him for his good service, that he thought the quarter of Scotland too

litle to give him in recompense; and that, notwithstanding he had exhausted him in his living, state, and person, and left him nothing but these vitall spirits and his breath, which, said he, appearandlie he is seeking, but not so readie to seeke as he was prepared to render. He desired his innocencie to be tried, and being found innocent, he cared not for suffering. If they pleased, he bade them assay, if he was not prepared to suffer their theeve's hole, or their axe, and to let them see that both God and grace was with him in great mercie. He was onlie carefull not to suffer as a malefactor. The chancelour answered, the king was not mindit to seeke his life. Mr Robert was removed, and called in againe. The chancelour passeth from the contempt and sedition, and challengeth him for breaking of his confynment. He answered, "Seing I am so straited, I desire to see my accuser, that a forme of law may be keeped. I could never yit gett the benefit of a law. Some of my servants have runne away with my moyen, others deteane it, and ly in waird. My name is daylie heard of. Scarse can I get one to doe for me since his Majestie entered in thir courses against me." They wold give him noe accuser. Then he said, "If ye will pose me, my Lord, on my conscience, and aske as a friend and lover of me, and not as a judge, for I desire to be under noe crime, I will tell your Lordship truelie. I went out of my confyne, but driven to it by necessitie; for since God tooke my helper from me, I had none to doe for me. I wrotte to the secretarie for a license, but come noe speede. It was a matter of twentie thowsand merks for which I come. A day was propped to me, which I behoved to keepe, and I come verie secretlie. I was more conspicuous when his Majestie was in this toun at the other parliament, yit it was never imputed to me." The chancelour confessed, that if he had written to him for a license to come in, he could not have refused. He was called in againe, and a warrant delivered to him, to enter his persone in waird in the Castle of Edinburgh. The bishops absented themselfs from the counsel that day, howbeit they were his delators. He was detained in the castle till the beginning of Januar.

MR J. WELSHE'S END.

Mr Johne Welshe, minister at St Jean in France, was forced, efter the taking of the toun, to come to Zeland, from whence he sent to the king supplications for licence to returne to his native countrie for his health's sake. He gott libertie to come to London, that he might be dealt with. When he came to London the king sent the Deane of Winchester, Doctour Young, to him. The deane made manie faire promises to him in the king's name, and laboured to draw out of him a generall approbation of the present governement of the church, suppose it were never so superficiall, to give the king contentment. But he gave a fair confession to the trueth, and wold not yeeld so much as a hoove. The deane said, he durst not but report his speaches to the king. He answered, The king could not be ignorant of his minde: he had suffered for opposing to these corruptions, and had found confort in his sufferings. So libertie was denyed to him to returne to his native countrie, howbeit he was not able to preache in a pulpit, by reason of his disease; and so endit his dayes at London, after the exile of manie yeers, with the deserved name of an holie man, a painfull and powerfull preachour, and a constant sufferer for the trueth.

MR A. SIMSON AND MR A. DUNCAN CONFYNED.

Upon Wednesday, the 2d of October, Mr Andro Duncan and Mr Alexander Simson were dismissed out of the waird by the Captane of Dumbartane, by a warrant sent from the counsel. Sir Johne Stuart, Captane of Dumbartane, beyond all expectation interteaned them courteouslie, and wold take nothing for their interteanement. Upon the 10th of October they compeired before the counsell. Mr Alexander was confynned in his owne paroche; Mr Andro was ordained to make choise of anie paroche of Scotland to be confined in, except his owne and Edinburgh. He choosed Kilrinnie, which is next adjacent to his owne.

The same day, the 10th of October, there was a letter redd in the counsel directed from the king, wherin he willed the Lords of Secrete Counsel and Session, and members of the Colledge of Justice, to be advertised before Christmas next, to resolve upon obedience to the Five Articles, under the paine of deprivation from the offices and dignities which they had of his Majestie. The copie of the letter heir followeth :—

"Right trustie and welbeloved Cousines and Counselours, and right trustie and welbeloved Counselours, we greete you weill.—Wheras the church orders concludit at Perth are now established for law, we are resolved that none having promotion by us sall be disobedient therto. And becaus that we have said in our Βασιλικον Δωρον, that we will have reformation to begin at our owne elbow, which is our privie counsel, the states of justice, and members therof, we have thought goode by these presents to signifie our pleasure unto you; which is, that ye goe through our whole privie counsel and session, requiring everie one of them, and the members therof, to conforme themselfs to the saids orders, which we hope they will readilie doe. But if anie counselour or sessioner sall refuse or make difficultie, ye sall assure him, that if within fourteene dayes before Christmas nixt he doe not resolve to conforme himself, he sall loose his place in our said service. And if anie advocate or clerk shall not at that time conforme himself, he is to be suspendit from the exercise of his place or office, and the feyes or casualities therto belonging, to such time as he be conforme. It is also our speciall pleasure, that ye take strict order that noe magistrats nor officers of burghes, nor shereffs, nor shereff-deputs, clerks, or officers, be chosen throughout all our kingdom, but such as are in all points conforme and give due obedience to the saids orders. And expecting your speciall diligence heirin, as ye will doe us most acceptable service, we bid you fairwell.

"Given at our Mannour of Hamptoun, the 29th of September, 1621."

THE LATE HARVEST THROUGH UNSEASONABLE WEATHER.

The weather was verie unseasonable at and since the last parliament, till the end of August, which made the harvest late. The unseasonable weather beginneth againe in the beginning of October. The sea swelled and roared; waters and brooks were aloft. Houses, and women, and children, and much corne, was caried away with the speates of water. The river of Tay swelled so high, that it went over the fair statelie bridge beside Perth, newlie complete. In the meane time, the water of Almond, and a loche be-west the toun, come doun upon the toun on the west hand, which was als dangerous as the river on the east. The toun was invironed with water a mile in compass, so that noe man could passe out for five or six dayes, neither could the inhabitants goe from house to house, because the waters covered the whole streets. Ten arches or bowes of bridge, with their pillars, were broken doun upon the 4th of October, and one onlie left standing, for a monument of God's wrathe. The young children were lett doun at windowes in cords to boats. Their stuffe, malt, and meale, was spoiled. The people ascribed this judgment inflicted upon the toun to the iniquitie committed at a Generall Assemblie holden there. In this toun was holden also another Generall Assemblie, the yeir 1596, wherupon followed the schisme which yit endureth. In this toun was also holden the parliament at which bishops were erected, and the lords rode in their scarlet gownes. The bridge of Berwicke, which was newlie built of stone, was broken doun by the violence of Tweede. The king had sent doun with Doctor Young a *dictum* to be sett up upon the bridge; to witt, these words following: "*Hoc uno ponte duo regna conjunxi: Deus diu conjuncta servet.*" Sir William Boyer, mayor of the toun, stayed the taking away the centries, and putting in the key-stone, till the king's skoll were drunk at that part of the bridge. The Lord's day was appointed for this solemnitie, but the Lord prevented the day; so neither the key-stone was putt in, nor the *dictum* sett up. The harvest was so

late, that scarse were the cornes inned in the best parts of the countrie at Hallowmas. There was never seene in this countrie in so short a time suche inequalitie of prices of victuall; never greatter feare of famine, nor scarsitie of seede to sow the ground. Neither was the fewell well winne.[1] Everie man was carefull to ease himself of suche persones as he might spaire, and to live als retiredlie as possiblie he might. Pitifull was the lamentation not onlie of vaging beggars, but also of honest persons. There was a solemne fast keeped the 21st of October in the kirks of Edinburgh, and the weeke following there was preaching ilk day, till the next Sabboth. Some cheefe counselours, namelie, the secretare, came not to the kirk upon the weeke dayes. It may be they doubted how the king wold accept of the fast.

MR T. BIGGAR TROUBLED BY THE BISHOP.

In the end of October, the Bishop of St Androes received a letter, as he alledged, directed from the king, commanding him to urge all ministers, readers, and schoolmaisters, to conforme, or els to depose them, without respect to age or infirmitie. Wherupon Mr Thomas Biggar, reider of Kinghorne, was called before the Hie Commission. The bishop refused to give him time to advise upon a resolute answere, and wairdit him in the Tolbuith of St Androes. Within few dayes he suffered him to goe home upon condition to keepe himself within the schoole, and neither reid in the kirk, nor discharge the office of a clerk to the session.

AN AVOWED MASSE.

Upon the 21st of November, the Laird of Letterfurie, surnamed Gordoun, dwelling within sixe miles to Strabogie, had a publict masse in his house at noone day, the gates standing open, to which eight score of persons were wairned, of which number were some

[1] Dried—referring to the peat used chiefly for fuel.

of his owne tenants compelled to be present. But noe order was taken with them for it.

THE ANSWEIR OF THE LORDS ABOUT CONFORMITIE.

Upon the 22d of November, the day appointed for the Lords of Secrete Counsel and Session to give their answeir for their obedience to the Five Articles, all the ordinarie Lords of the Privie Counsel conveened, and some noblemen who were written. Efter the king's letter was redd, the chancelour inquired at everie one of them what was their resolution. They answered, It behooved them to obey the king's lawes and acts of parliament. The chancelour turning him to the bishops who were present, to see the business performed, said, "You that are bishops sould take order with these things, which are mere spirituall, and not trouble the counsel with them. You sould first call men before your courts, and then, if there be caus, complaine." When the lords come furth, some of them said, that if they had been farther urged, they wold have answeired, as Mr David Calderwode did to the king; that is, that they wold obey passivelie, and not activelie. The day following, the advocats and the clerks were called upon. The chancelour intimated to them what was done by the Lords of Secrete Counsel and Session. The king's letter was redd. Then were they desired by the chancelour, that as they wold be frie of the punishment contained in the letter, they wold prepare themselfs against Christmas to give obedience to the king's lawes. He assured himself they wold doe as the lords had done. So they were dismissed with this gentle and generall admonition, without particulare inquirie.

The same day, the Erle of Argile was, by open proclamation at the Mercate Crosse of Edinburgh, with sound of trumpet and Lyon-Heralds, declared the king's frie leige.

MR W. FORBESSE UNORDERLIE CHOSEN TO BE MINISTER OF EDINBURGH.

About the beginning of December, the provest, baillies, the new and old counsel of the toun of Edinburgh, the new and old session, and manie of the citizens, conveened to choose a minister, one of the four that was given them in leits before, and had made their proofe sermons; to witt, Mr Theodore Hay, Mr *James Lightoun*, both formalists, Mr Andro Cant, and Mr *William Arthure*. Mr Andro Cant was thrise sent for to give proofe: at last he came, [and] assured the magistrats he wold not conforme. But the bishop and they still urging, he preached. He deplored the miseries of our kirk and the corruptions of the time in so gracious a maner, that manie shedd teares. The ministers of Edinburgh were greeved and galled at the heart, invyed the man for his libertie, not-conformitie, and the applause he had of the people. The votes inclined to Mr Andro. But the provest, David Aikenheid, reported from the bishop, that the king wold not be content of that man by anie man, because he had heard of his seditious sermons. Upon the 12th of December, the provest, a corrupt man, convocated the old and new counsel, obtained all their consents except seven or eight, to Mr William Forbesse, minister of Aberdeene. The day following, he named him to the session of the kirk. Efter the session dissolved, the provest and ministers mett privilie, and concludit to make new wairning from the pulpits the nixt Lord's day, to the old and new session, the old and new counsel, to conveene upon the 18th of December, to agrie upon a new leite. The ministers gave wairning in name of the session, but without acquainting the session. Mr Patrik Galloway beating in great anger and furie upon the pulpit, said, That a few phantasticall persons hindered the plantation of the kirk, and that they wold have none but men efter their owne humours, suche as will preache against the king and the Assemblie. Mr Thomas Sydserfe seconded him upon the Tuysday following. At the meeting, the provest

said, "Let us not make leites anie longer, but let us choose one that may be had." This motion was withstoode, but the provest and ministers prevailed by votes. None were suffered to vote except the members of session and counsel. Some opponed, and alledgit there was an honest man alreadie chosen with commoun consent, meaning Mr Andro Cant, and none other sould be chosen, till he were placed. If they and the bishops wold intrude anie other, they protested they did not consent. So Mr William Forbese not being heard, was chosen by pluralitie of votes of the old and new counsel, old and new session, the rest of the citizens, to the number of two hundreth persons, their voices not craved, as hath beene the custome in the election of their pastors, but opponing in the contrare. Great was the discontentment of the most religious people within the toun. Upon Fryday, the 21st of December, the provest and counsel directed Johne Macknaught and William Nimmo, two of their owne number, to Aberdeene, to desire Doctor Forbese to come to them in haste.

MR J. MURRAY SUMMONED BEFORE THE HIE COMMISSION.

Upon the 12th of December, the Bishop of St Androes sent an officer to summone Mr Johne Murray, minister of Dumfermline, to compeir at St Androes in the great castle, upon Tuysday the 18th of December, to heare himself removed from the ministrie, unless he conformed to the acts of Perth ratified in parliament. By reason of his absence, the officer affixed the summones upon the doore of his dwelling-house. But Mr Johne preached the day he sould have compeired. Sundrie of the paroche went to St Androes, to intreat the bishop for him. But before they came, the bishop not having a competent number to hold a court, ordained him to be summoned *de novo* to the third of Januar. For all the bishop's boasting, Mr Johne preached not upon Christmas-day which interveened.

MR R. BRUCE CHARGED TO WAIRD IN INNERNESS.

The same day, Mr Robert Bruce, who was in waird in the castle of Edinburgh, was sent for to compeir before the counsel. The king's will was intimate to him, to witt, That he goe home to his owne house, and to remaine there till the 12th of Aprile, and then to transport himself to Innernesse, and within four miles about, during the king's pleasure.

A NEW SESSION CHOSEN.

Upon Thursday the 20th of December, the elders and deacons of the session of the kirk of Edinburgh were chosen. The provest cancelled the names of some honest men that were given up in leite by the present session, viz., Doctor Jollie, Doctor Arnote, Doctor Kinkede, Doctor Sibbet, all foure doctors of medicine; Johne Hammiltoun, apothecarie, Richard Lawson and James Cathkin, stationers, etc. So the provest and ministers conspiring, made choise of suche as were ignorant, or could serve the time.

CHRISTMAS OBSERVED AT EDINBURGH.

The ministers of Edinburgh agreed secretlie among themselfs, that there sould be noe more sermons upon Christmas-day, but one in the Old Kirk. But the provest, more officious than needit, insisted with the ministers, till Mr Johne Guthrie promised to teache in the Litle Kirk. Mr Galloway fretted within himself, becaus he looked for a great auditorie, if there had been noe more sermons but his owne. He had a rare auditorie indeid, and therefore exclaimed against those that come not to the kirk that day, and said, They were to be accursed with Cain: they wold not stay till God had cutted them off, but cutted themselfs off from the kirk, and societie of God's people. In time of sermon, a hun-

dreth and sixe booth-doores or therby stoode open. Efter sermoun, the provest and baillies went arrayed in their best apparell, with the chancelour, to the feast he had prepared for them.

Upon the 29th of December, Mr Johne Murrey was againe summoned, and Mr Johne Row, minister of Carnocke, to compeir before the Hie Commission, in the castle of St Androes, upon the thrid of Januar, to heare themselfs censured, for nonconformitie to the acts of Perth Assemblie.

M.DC.XX^tI.

MR J. MURREY CONFINED.

Upon Thursday the thrid of Januar, the Hie Commission satt in the great hall of the castle of St Androes, where were conveened sundrie bishops, doctors, and ministers. But neither Mr Johne Murrey, minister of Dumfermline, nor Mr Johne Row, minister of Carnocke, compeered. Some commissioners sent from their paroches compeired, and intreatted that they might be suffered to remaine in their owne places, but prevailed not. It was ordained, that Mr Johne Murrey must be removed instantlie from the ministrie at Dumfermline, and be confined in the paroche of Fowles, within Stratherne, and that Mr Johne Row be confined within his owne paroche of Carnocke. Bishop Spottiswode began to utter himself to sundrie, that he durst not be answeirable to the king for suffering him to be placed in Dumfermline, or to remaine there; and therefore wold be forced, if Mr Johne removed not willinglie to some obscure place farre from Edinburgh, to compell him to remove. He pretendit two reasons: first, that the said Mr Johne, by his exemple and advise, disswadit the Presbyterie of Dumfermline from conformitie. This was untrue, for all the ministers of the presbyterie, except two or thrie, were opposite to conformitie of themselfs. The other, that he fostered the people of Edinburgh in their schisme, as he called it, and discon-

tentment at their ministers, receiving them to the communion at Dumfermline. But the true caus was the opposition he made to their courses both in pulpit and presbyterie, when he was minister at Leith, which the bishop and his fellows could never digest. The bishop continued three yeirs boasting efter this maner, but was stayed from execution, by the intercession of friends, and the hope he had of Mr Johne his removall to some other place. In end, apprehending that he was but slighted by the requeist of his friends, [he] resolved upon this violent course, and charged him to compeir before the Hie Commission, to heare and see himself deposed from the ministrie of Dumfermline, for his contumacious disobedience in not conforming to the acts of the kirk and parliament, and for hindering others also to give obedience. But Mr Johne resolved not to compeere, partlie because he was loath to countenance by his compeirance such an unlawfull judicatorie; partlie because he understood perfitlie, that whether he compeired or not, the sentence wold be one and the same. They gave out sentence against him, and decerned, that betwixt and such a day, he sould remove from Dumfermline, goe to Stratherne, and keepe confyne within two miles to Fowles.* He removed not, notwithstanding the sentence, till the bishop procured a warrant, wherin he was charged upon the paine of rebellion to the king's Majestie to remove. So he was forced to leave Dumfermline, and goe to his confyne. Immediatlie efter, the bishop sent Mr Henrie Makgill to Dumfermline, a man whom the people had never seene before, nor heard tell of, and thrust him upon them, without consent either of presbyterie or kirk-session.

Efter that the Lord Digbie, the king's ambassadour directed to the emperour, had returned to England, and reported that the emperour had altogether refused to quite the Palatinate, or to remove his forces out of it, and an ambassadour was sent from the Estates of the United Provinces, to assure the king that so soone as he entered in alliance with the King of Spaine, they wold submitt themselfs to him, he advised with the counsel of England what was best to be done. It was concluit that the parliament, which

was raised and continued till Februar, sould sitt doun the 20th of November. But when they were conveened, the king and they could not agrie, for he had forbidden the Lower House to medle with the effairs belonging to the prerogative of his crowne; the mariage of his sone, the contracting of peace or warre, patents or gifts given by him till his courteours, till they had his warrant. Wherupon the Lower House resolved to rise, and because some of their liberties were touched, they made a protestation; wherupon the king published his, for dissolving of the parliament upon the sixt of Januar.

A COPIE OF A DECLARATION AND PETITION TO HAVE BEEN SENT TO HIS MAJESTIE FROM THE LOWER HOUS OF PARLIAMENT; PREVENTED BY HIS MAJESTIE, BUT EFTERWARD PRESENTED.

"MOST GRACIOUS AND DREADE SOVERAIGNE,—We, your humble and loyall subjects, the knights, citizens, and burgesses now assembled in parliament, who represent the Commons of your realme, full of heartie sorrow to be deprived of the confort of your royall presence, the rather, that it proceeds from the want of your health, wherin we all unfainedlie doe suffer: in humble maner calling to minde your gracious answer to our former petition concerning religion, which notwithstanding your Majestie's pious and princelie intentions, hath not produced the good effect which the danger of this time seemes to us to require; And finding how ill your Majestie's goodness hath been requited by princes of different religion, who even in times of treatie have sought all opportunitie to advance their owne ends, tending to the advancement of their owne religion, and subversion of ours: By reason wherof, your evill-affected subjects, the Popish recusants, have taken too much encouragement, and are increased daylie in their number and their influencies; we cannot but be sensible therof, and therfore humblie represent what we conceive to be the cause of so great and growing mischeefe, and what may be the remedies."

THE CAUSES.

"1. The vigilancie and ambition of the Pope of Rome, and his dearest sone, the one ayming at als large a monarchie as the other at a spirituall supremacie: The devilishe positions and doctrins wherupon Poperie is built and taught with authoritie to their followers, for advancement of their temporall ends.

"2. The distressed and miserable estate of the professours of true religion in forreine parts.

"3. The disastrous accidents of your Majestie's children abroade, exprest with rejoycing, and even with contempt of their persons.

"4. The strong confederacie of the princes of Popish religion, ayming namelie at the advancement of theirs, and subversion of ours, and taking all advantages conducing to that end, upon all occasions.

"5. The great and manie armies raised and maintained at the charges of the King of Spaine, cheefe of that league.

"6. The expectation of the Popishe recusants for the matche of Spaine, and feeding themselfs with great hope of the consequence therof.

"7. The interposing of forreine princes and their agents in the behalfe of Popishe recusants, for connivence and favour unto them.

"8. The open resort to Poperie, and which is worst, to the chappells of forreine ambassadours.

"9. Their more than usuall concourse to the citie, and their frequent conveenings and conferences there.

"10. The education of their children in manie severall seminaries and houses of their religion in forreine parts appropriated onlie to English fugitives.

"11. The grant of their just forefaultours by your Majestie, as a rewaird of a sute to your servants, but beyond your Majestie's intention compoundit or transferred for at such meane rates, as will amount to litle less nor a toleration."

"12. The licentious printing and dispersing of Popishe and seditious books, even in time of parliament.

"13. The swarmes of preists and Jesuits, the common incendiors of all Christendom."

THE EFFECTS.

"And from those causes or bitter rootes that we humblie offer to your Majestie, we foresee and feare there will necessarilie follow verie dangerous effects both to church and state.

"For the Popishe religion is incompatible with ours; and in respect of their positions it drawes with it unavoydable dependance upon forreine princes. It openeth too wide a gate for popularitie to anie who sall draw so great a partie. It has a restless spirit, and will strive for a toleration. If that sall be obtained, they must have an equalitie; from thence they will aspire to a superioritie, and never rest whill they gett the subversion of true religion."

THE REMEDIES.

"The remedies to these growing evills, which we offer in all humilitie to your excellent Majestie, are these:—

"That seing this inevitable necessitie is fallen upon your Majestie, which noe wisdome nor providence of a pious and peaceable prince can with honour avoide, your Majestie wold not omitt upon this just occasion speedilie and effectivelie to take your sword in hand.

"That warre being once undertaken upon so just and honourable grounds, your Majestie wold persue it, and more publictlie avow the ayding of those of our religion in forreine parts, which wold reunite the princes and states of the union, disheartened and disbanded by these disasters.

"That your Majestie wold propose to yourself to manage that warre with the best advantage, by diversion or otherwise, as in

your deepest judgement sall seeme fittest; and not to rest upon a warre in these parts onlie, which will consume your treasure, and discourage your people.

"That the bent and point of that warre be against that prince (whatsoever opinion of potencie he hath) whose armes and treasure has first intendit, and since maintained the warre in the Palatinate.

"That for the securing of your peace at home, your Majestie will be pleased to review that part of our humble petition formerlie delivered to your Majestie, and heirunto annexed, and to putt in execution, by the care of commissioners to be heirunto speciallie appointed, the lawes alreadie and heirafter to be made, for the preventing of dangers by Popishe recusants, and their wonted evasions.

"That to frustrate their hopes for [a] future age, our most noble prince may be timelie and happilie maried to one of your owne religion.

"That the children of the nobilitie of this kingdome, and of others evill affected and suspected of their religion, now beyond seas, may be furthwith recalled home, by the meanes and at the charges of their parents and governours.

"That the children of the Popishe recusants, and of suche whose wyffs are Popishe recusants, be brought up during their minoritie with Protestant schoolmasters and teachers, who may sow into them in their tender yeirs the seede of true religion.

"That your Majestie wold be pleased speedilie to revoke all former licenses for suche children and youth to travell beyond seas, and not grant anie such license heirafter.

"That your Majestie's learned counsel may receive command from your Hieness carefullie to looke to all former grants of recusants' lands, and to annull them, if by law they can; and that your Majestie will stay your hand from passing anie such grant heirafter.

"This is the summe and effect of our humble declaration, which (noe wayes intending to incroache upon your Majestie's undoubted

and royall prerogative) we doe with the fulness of all duetie and obedience submitt to your royall and princelie consideration.

"The glorie of God whose caus it is; the peace of true religion in which we have beene borne, and wherin by God's grace we are resolved to die; the safetie of your Majestie's persone, who is the verie life of your people; the happiness of your children and posteritie; the honour and good of church and state, dearer unto us than our owne lives, have kendled these affections, truelie devoted to your Majestie.

"And seing out of our duetie to your Majestie, we have alreadie resolved to give, at the end of this session, an enteir subsidie for the present releif of the Palatinate onlie, to be payed in the end of Februarie nixt, which cannot weill be effected, but by passing of a bill in a parliamentarie course before the feast of Christmas, we most humblie beseeke your Majestie, as our assured hope is, that ye will then also vouchaf to give leave, in your royall absence, to such bills as before that time sall be prepared for your Majestie's honour, and the generall good of your people; and that such bills may also be accompanied, as has beene accustomed, with your Majestie's gracious pardon, which, proceeding from your owne mere grace, may by your Hieness' direction be drawne to that latitude and extent as may best sort with your Majestie's bountie and goodness. And that onlie fellownes and criminall offenders may not take benefite therof, but that onlie your good subjects may receive ease thereby. And if it sall so stand with your good pleasure, that it may extend to the releif of all debtts and dueties to the crowne, before the first yeir of your Majestie's raigne, to the discharge of alienations without licence * * * before the first summones of this parliament, and of cancelled wairdships, and not shewing of liveries * * * * before the twelveth yeir of your Majestie's raigne.

"Which gracious favours wold much confort your good subjects, and ease them from vexation, with little losse or prejudice to your owne profite. And we, by our daylie and devote prayers unto the Almightie, the great King of kings, sall contend for a blessing

upon such endevours, and for your Majestie's long and happie raigne over us, and for your children's children efter, for manie and manie generations."

THIS PETITION BEFORE WRITTEN, BEFORE IT WAS SENT UNTO HIS MAJESTIE, BEING PREVENTED BY HIS MAJESTIE BY A LETTER SENT TO THE SPEAKER OF THE LOWER HOUS; IT WAS NOTWITHSTANDING SENT THERAFTER, AND WITH IT THIS FOLLOWING LETTER.

"MOST GRACIOUS AND DREADE SOVERAIGNE,—We, your Majestie's most humble and loyall subjects, the knights, citizens, and burgesses, assembled in the Commouns House of Parliament, full of greefe and unspeakable sorrow, through the true sense of your Majestie's displeasure expressed by your Majestie's letter latelie sent unto Mr Speaker, and by him related unto us, yit conforted againe with the assurance of your grace and goodness, (wherin with confidence we all rest and rely;) in all humilitie beseeking your most excellent Majestie, that the loyaltie and duetifulness of als faithfull and loving subjects as ever served or lived under a gracious soveraigne, may not undeservedlie suffer by the misinformation of uncertaine reports, which are ever unfaithfull intelligencers. But that your Majestie wold, in the cleirness of your owne judgement, first, vouchafe to understand from ourselfs, and not from the partiall information of anie others, what our humble declaration and petition, resolved upon by the universall voice of the whole house, and purposed with your gracious favour to be presented to your gracious Majestie, doth containe; upon what occasion we entered into consideration of these things which are therin contained; with what duetifull respect unto your Majestie, and unto your service, we did consider therof, and what was our true intention therinto. And that when your Majestie sall thereby truelie discerne our duetifull affections, ye will in your royall judgement frie us from those heavie charges wherwith some of our number are burdened, and wherin the whole house is in-

volved. And we humblie beseeche your Majestie, that ye will not heirafter give credite to private reports against all or anie of the members of our house, untill your Majestie have beene truelie informed therof from ourselfs; and that in the meane time, and ever, we may stand upright in your Majestie's grace and good opinion, than which, noe worldlie consideration is or can be more deare unto us.

"When your Majestie had re-assembled us in parliament by your Majestie's royall commandement, soonner than we expected, and vouchafed by the mouth of thrie honourable lords to impart unto us the weightie occasions moving your Majestie therunto, from these we understoode these particulars: That notwithstanding your princelie and pious endevours to procure peace, the time was now that Janus temple must be opened; that the voice of Bellona must be heard, and not the voice of the turtle; that there was noe hope of peace or anie truce to be obtained, noe not for a few dayes; that your Majestie must either abandoun your owne children, or ingadge yourself into a warre; that the Lower Palatinate was seazed upon by the armie of the King of Spaine, as executor of the Banne there, in qualitie of the Duke of Burgandie, as the Upper Palatinate was by the Duke of Bavaria; that the King of Spaine, at his owne charge, had now at least five severall armies on foote. That the princes of the union were disbandit, but the Catholicke league remained firme, whereby those princes so dissevered were in danger, one by one, to be ruined; that the state of these of our religion in forreine parts was miserable; and that out of these considerations we were called to a warre, and furthwith to advise for a supplie, to keepe the forces of the Palatinate from disbanding; and to forsie the meanes for raising and maintaining of the bodie of an armie for the warre, against spring.

"We, therefore, out of zeale to your Majestie, and your posteritie, with more alacritie and celeritie than ever was presented in parliament, did addresse ourselfs to the service commandit to us. And although we cannot conceive that the honour and safetie of your Majestie and posteritie, the patrimonie of your children invadit

and oppressed by their enemies, the welfair of religion and state of your kingdomes are maters at anie time unfitt of our deepest consideration in time of parliament; and although before this time we were in some of these high points silent, yit being now invited therunto, and ledd on by so just an occasion, we thought it our duetie to provide for the present supplie therof; and not onlie to turne our eyes on a warre abroad, but to take care for the securing of our peace at home, with the dangerous increase and insolencie of Popish recusants, apparentlie, sensiblie, and visiblie did leade us unto. The consideration wherof did necessarilie draw us truelie to represent unto your Majestie what we conceaved to be the causes, what we feared wold be the effects, and what we hope might be the remedies of these growing evills. Amongst the which, as accidents unavoydable, we fell upon some things which seeme to touche the King of Spaine, as they have relation to Popish recusants at home, and to the warres abroad, maintained in the Palatinate against your Majestie's children, and to his severall armies now on foote, yit as we conceaved without touch of dishonour to that king, or anie other prince, your Majestie's confederate. In the discourse wherof, we did not assume to ourselfs anie power to determine of anie part therof, nor intendit to incroache or intrude upon the sacred bounds of your regall authoritie, to whom, and to whom onlie, we humblie acknowledge it doth belong to resolve of peace or warre, and of the mariage of the most noble prince your sone. But as your most loyall subjects and servants, representing the whole Commons of your kingdome, who have a large interest in the happie and prosperous estate of your Majestie and your royall posteritie, and of the floorishing estate of our church and commonwealth, did resolve out of our cares and feares truelie and plainlie to demonstrate these things to your Majestie, which we were not assured could come otherwise so fullie and cleirlie to your knowledge: And that being done, to lay the same doun at your Majestie's feete, without expectation of anie other answeir from your Majestie touching these points, than what at your good pleasure, and in your time, sould be held fitt.

"This being the effect we had formerlie resolved upon, and these the occasions and reasons inducing the same, our humble sute to your Majestie, and confidence is, that your Majestie will be graciouslie pleased to receive at the hands of these our messengers, our former humble declaration and petition, and vouchafe to reade and favourablie interprete the same; and that to so much therof as conteaneth our humble petition concerning Jesuits, preists, and Popish recusants, the passing of bills, and granting your royall and gracious pardoun, you will vouchafe an answeir.

"And wheras your Majestie seemeth, by the generall words of your letter, to restrain us from intermedling with maters of governement, or particulars which have their owne due motion in ordinarie courts of justice, the generalitie of which words, in the largeness of the extent therof, (as we hope, farre by your Majestie's intention,) may involve those things which are the proper subjects of parliamentarie actions and discourses; and wheras your Majestie doth seeme to abridge the ancient libertie of parliament, for friedome of speeche, jurisdiction, and just censure of the House, and other proceedings therin, (wherin, we trust in God, we sall never transgresse the bounds of dutifull and loyall subjects;) a libertie, which we assure ourselfs so wise and just a king will never infringe, the same being our ancient and so undoubted right, and an inheritance received from our antecessours, without which we cannot frielie debate, nor cleirlie discerne of things in question before us, nor truelie informe your Majestie; and in which we have beene confirmed by your Majestie's most gracious former speeches and messages. We are therefore now again inforced in all humilitie to pray your Majestie allow the same, and therby to take away the doubts and scruples your Majestie's last letter and the Speaker have brought upon us. So sall we, your loyall and loving subjects, acknowledge your Majestie's justice, grace, and goodness, and be readie to performe that service to your Majestie, which within the true affections of our hearts we professe; and powre out in our daylie and devote prayers unto the Almightie, for your Majestie's long life, happie religious raigne, and prosperous state, and for your royall posteritie after you."

THE PROTESTATION MADE IN THE LOWER HOUSE BY THE COMMONS, AND INSERTED IN THEIR CLERK'S BOOKS ABOUT FIVE HOURES OF CLOCKE AT NIGHT, BEING THAT MORNING DISMISSED, AND LICENSED TO GOE HOME, TILL THE EIGHT OF FEBRUAR.

"The Commons now assembled, being justlie occasioned therunto, concerning sundrie franchises and liberties of parliament, amongst other things not here mentioned doe make the Protestation following:—

"That the franchises, liberties, priviledges, and jurisdictions of parliament, are the ancient and undoubted birthright and inheritance of the subjects of England; and the arduous and urgent effairs concerning the king's estate, and defence of the realme and Church of England, and maintainance and making of lawes, and redresse of mischeefs and greivances which daylie happen within this realme, are proper subjects, and mater of counsel and debate in parliament; and that in the handling and proceeding in these bussines, everie member of the House has, and ought to have, friedome of speeche, to propone, treate, reason, and bring to conclusion the same.

"And that everie such member of the said House hath the like fredome from all impeshment, imprisonment, and molestation, other than by censure of the House itself, for or concerning anie bill, speaking, reasoning, or declaring anie mater or maters touching the parliament, or parliamentarie causes or bussines. And if that anie of the saids members be complained of, or questioned, for anie thing said or done in parliament, the same is to be shewed to the king, by the assent and advise of all the Commons assembled in parliament, before he give credite to anie private information."

MR DAVID DICKSON CHARGED BEFORE THE HIE COMMISSION.

Upon the 6th of December last bypast, Mr David Dickson, minister at Irwine, being in Glasco, the bishop sent one of the

ministers for him. At their meeting, the bishop shewed to him that he had received a letter from the king, to take order with him and Mr George Dunbar, and some others, not onlie because they had not embraced the ceremonies, but also because they had done what they could to hinder the inacting of the articles of Perth Assemblie at the parliament. (So like; as [if] the king knew what was everie man's part, either in the one or the other, but as he was informed by the bishops!) He addit, that howbeit he was loath to trouble him, because he was diligent in his ministrie, yit the mater stoode so, that either he or he behoved to be deposed; wherof he thought good to advertise him. Mr David answeired, "If ye will trouble me, I trust in God I sall have peace in my suffering." Then the bishop desired to know Mr David's reasons. "I wonder," sayeth he, "that one whom I know to understand reasone, one who has taught philosophie, sould have taken suche a course as ye have done. If I knew my course were sinfull, or if anie man wold shew me it to be so, I had rather suffer with you or the like, than brooke my estate, and doe as I doe. But I am persuadit it is not so; and, therefore, produce your reasons." Mr David answeired, "The first reasone I have wherefore I may not obey these injunctions is, because there is noe reason why they sould be commandit. Mr Johne Bell, one of the ministers of Glasco, formed the argument thus: Whatsoever is commandit without reason, may upon good reason be disobeyed: But so it is, etc. *Ergo*."—The bishop answeired, that in substance of religion it was true, but not in ceremonies. Then said Mr David, "I will draw the proposition a little straitter. Though in maters civile, which concerne temporall losse or gaine, the not seing of a reason of the commandement is not a sufficient reason to disobey, yit in maters that concerne Christ's kirk, religion, and the worship of God, whether substance or ceremonie, whatsoever is imposed upon the flocke of Christ, universallie, solemnelie, and ordinarilie, to be done in and about the worship of God, and may not be left undone, behoveth either to have a knowne and sufficient reason for the injunction of it, or ellis, lawfullie a man may refuse to give obedience

or it." This was agitate awhile. Then, at parting, the bishop tenewed his threatning. Mr David answeired, that he entered in his ministrie before the Assemblie holden at Perth, and since that time had beene considering the controversies of our kirk, as the Lord had inabled him; and found, that with a good conscience he could not obey these injunctions, but was readie, by the grace of God, to suffer what fleshe and bloode could doe to him. So they shedd.[1]

Upon the secund of Januar efter, the bishop's page come to Mr David's dwelling-house, and delivered him summones to compeir before the Hie Commission in Edinburgh, the 9th of Januar; which he received verie cheerfullie. Mr David, and some of his brethren, not knowing the sett day of the summones, were occupyed in fasting and prayer, when the young man came with the summones to him. Mr George Dunbar, minister at Air, George Jhonson, minister at Ancrome, and Mr Thomas Abernethie, minister at Ekfoord, were summoned to compeir the said day. It appeared the dyet was so casten, that Mr David and Mr George could not preache upon the Sabboth and keepe it; therefore, Mr David resolved to teache the day following efter the summones. He choosed for his text this passage of Scripture, wherupon he preached first when he was called to the ministrie at Irwine, to witt, 2 Cor. v. 11, "Knowing, therefore, the terrour," &c. He preached at the first time but the halfe of the verse. It was ever his earnest desire since that time, that before it pleased the Lord to remove him, either by death or otherwise, it might please His majestie to enable him to teache the other halfe of the verse, "But we are made manifest to God." He obtained his requeist. During the whole time of the sermon, there was weeping and lamentation: scarse one within the doores could hold up their heads. That whole day, the women were going up and doun the kirk-yaird, and under staires, greeting, as if their husbands had beene newlie buried. The like weeping was upon the morne, when Mr David

[1] Separated.

was leaping upon his horse. The provest, baillies, and counsel of the toun, thought it a duetie required at their hands, to penne a supplication to be presented to the Hie Commission, bearing testimonie to his faithfull labours and holie conversation; and, consequentlie, to let the Commission see how injurious they wold be to God and their soules if they removed him. All the honest men of the toun that were present, and could write, subscribed this supplication. Eight or nyne men of good qualitie were appointed to accompanie Mr David. While they were on their journey, and resting at Linlithgow, Mr Gavine Barclay, sone to the Laird of Pierstoun, sent post hast by the bishop after them, came to Mr David with this commission, That if he wold sute continuance with his people till he were better advised, it sould be granted; but if he wold not, he sould putt him an hundreth miles from the doores. Mr David desired the young man to returne this answeir, "Continuance with my flocke, I am not that man that I will refuse, if either myne owne or the requeist of others may procure it; but to crave continuance for further advisement I cannot, except I wold dissemble, for I am fullie resolved in that mater." When they were entered into Edinburgh, the men of Irwine went to the bishop's lodgings, reported what good was done by Mr David's travells, and told what was, and what was like to be, the estate of the congregation. Some of the bishops seemed to be moved, and the honest men hoped of a good ishue; but the event proved otherwise.

MR D. DICKSON, MR G. DUNBAR, COMPEIR BEFORE THE HIE COMMISSION. GEORGE JHONSON'S EXCUSE.

Upon the 9th of Januar, Mr David Dickson and Mr George Dunbar compeired before the Hie Commission, but were continued till the morne at ten houres. George Jhonson sent his excuse, that he could not travell, partlie by reason of the alteration of the estate of his bodie, partlie in respect of the present storme. In this letter he willed them to consider, that he had beene preach-

ing these fiftie yeirs against the Romishe ceremonies, and if he sould build now againe the thing that he had destroyed, he sould make himself a transgressour. "I am now going to the grave," sayes he; "but it is like ye will deale with me as a Turke did with a Christian shoomaker. The Turke commandit him to renunce Christ, or els he wold kill him. The shoomaker answeired, he had his shoes to make; he could not be at leasure to doe these things: wherupon the Turke killed him."

MR G. DUNBAR DEPRIVED AND CONFINED.

The day following, the honest men of Irwine came in to the Bishop of St Androes efter sermon, and found him rising, and putting on his clothes. A little space efter, the rest of the bishops came to him, and all satt doun to worke together; whereby the honest men collected, that St Androes had neither private nor publict prayers that morning. There were conveened the Bishops of St Androes, Glasco, Galloway, Dunkell, Aberdeene, Iles, Caithnes. Mr George Dunbar was first called on. Efter the reading of the summons, wherin he was threatned to be deprived of his ministrie, and some words had past about conformitie, he gave in a declinatour. The bishops were inraged, and alledgit he had denied the king's authoritie; called for the provest and baillies to putt him in closse prison. St Androes preferred Father Anderson, the late Jesuit, before him, as a better subject; called him and all the Puritanes of Scotland lyers. He answeired, "We disclaim not the king's authoritie; we disclaime your authoritie and this judicatorie, and appeals to the king, authoritie established by the king, and the lawes of the realme, which in all humilitie we will obey, either activelie or passivelie." They proceid notwithstanding to the sentence of deprivation, and ordained him to be wairdit in Dumfreise. The copie of the declinatour heir followeth:—

MR D. DICKSON AND MR G. DUNBAR'S DECLINATOUR.

"Forsameikle as the Assemblies of this Kirk standing in force, are ratified by the lawes of this kingdome, has respective and properlie belonging to them onlie lawfull power and libertie to try, admitt, and ordaine, qualified persons to the service of the ministrie, and to suspend and remove therefrom such as sall happen to be found faultie and insufficient; and to exerce the whole jurisdiction and discipline of the kirk, according to the order established: By vertue wherof, and by reason of the solemne oath of God astricting the whole kingdome, and speciallie the ministrie therinto, the lawfull Generall Assemblies, Provincialls, and Presbyteries, has lawfull power and libertie in maters of admission and deprivation to or from ecclesiasticall functions: Nevertheless, we have received a copie of a libell, whereby we are summoned to answeir at your instance, in the cause of deprivation, contrarie the priviledges and liberties of the kirk, lawes of the countrie, and commendable course and practise hitherto observed within this kirk and kingdome. Heirfore, we most earnestlie and humblie desires you, that ye wold wiselie consider, and cease to trouble us with such commandements, as may intend prejudice, or prove hurtfull, to the kirk and kingdom of Christ within this realme. Otherwise, for the obliged respect and duetie we carie to the kirk and lawfull Assemblies therof, we will be forced to decline you, as judges noe wayes competent in the caus lybelled. Like as we, being most willing to eschew the meanest degree and imputation of contempt, have disposed ourselfs to come in your presence, to declare unto you the necessitie of our subjection to the judges and judicatories before specified; and in that respect to testifie our declining from you, as incompetent judges in the cause lybelled. And by thir presents we *simpliciter* decline you, offering ourselfs most willinglie to a lawfull and ordinarie judgement appointed and established by the lawes of our kingdome, concerning us and our

effairs, and that for the reasons following, and others to be alledgit in time and place :—

"1. Because the right of our triall, cognition, and giving of sentence in the caus expressed in the lybell, stands in the power and priviledge of the Assemblies lawfull respective above written, which by noe law nor canon of the kirk as yet extant are cancellit, annulled, or declared expired, much lesse translated or devolved in your persons, to try, cognosce, appoint punishments, and execute sentence at your pleasure.

"2. Because this forme of judicatorie is mixed of civill and ecclesiasticall persons, for the inflicting of civill and ecclesiasticall censures upon the parties conveened before you, to the prejudice of that distinction that sould be betuixt civile and ecclesiasticall judicatories, according to the Word of God, and established order of this kingdome; wherby it is out of all question, that noe civile person can sitt or cognosce upon the deprivation of a minister, as also, that noe minister or ecclesiastick person may inflict anie civill punishment, nor yet anie such ecclesiastick censures as belongs to a whole Assemblie, meikle less, in their owne names lybell edicts, summone parties, impose dyets of compeirance, lead processe, give out sentences, not onlie different, but in manie respects contrarie to the formes of proceiding received and practised in the kirk's effairs, as the lybell wherby we are summoned imports."

THE PROCEEDINGS OF THE HIE COMMISSION AGAINST MR D. DICKSON.

Before Mr David Dickson was called, the honest men of his paroche presented a supplication. Therafter he was called on. The Bishop of St Androes began with faire speaches, called to rememberance what good hopes were conceived of him when he was a regent of the Colledge of Glasco, when he was bishop of that sea; and pretendit in words, that he was glade for the good word he heard of him since his entrie to the ministrie. Thus it pleased God to open the mouth of his enemie, to give him a testimonie in

the audience of the specialls of his flocke who were present, together with Mr James Robertsone, his brother-in-law. Then the Bishop of St Androes caused the clerk read the summones; which being redd, he desired Mr David to answeir. Mr David besought them, first, to expone all his words to the best sense, and suffer himself to be the exponer. Then he asked, if Mr George Dunbar had given in a declinatour or not. His intention was, if they had judiciallie confessed it, he might judiciallie adhere to it. The Bishop of St Androes asked at him, "Wold he follow his footsteppes?" Mr David answeired, "I must know first what he has done before I can answeir to that." "We will not satisfie you in that," said St Androes; "doe ye for yourself." Mr David answeired, "I sall doe so then, God willing;" and taketh out of his pocket a copie of the declinatour, which, by God's providence, he had with him, reserved for his owne private use. Sundrie of the bishops whispering in his eare, as if they had beene his freinds, said, "Take it up, take it up." He answeired with sobrietie, "I layde it not doun to that end, to take it up againe." Then St Androes asked, if he wold subscribe it. Mr David professed his readiness to subscribe. Then the bishop biddeth let the clerk reade it. The clerk had scarse redd three lines, when the bishop, in anger, sayes, "I see all is one; they have agreed upon it." Then he burst furth in cursing and railing speeches, full of gall and bitterness, expressed livelie in his countenance. He turneth him to Mr David, and sayeth, "These men will speak of humilitie and meekness, and talke of the Spirit of God. The Spirit of God is the spirit of humilitie and obedience, but ye are ledd with the spirit of the devill. There is more pride in you than in all the bishops of Scotland, I darre say. I hanged a Jesuit in Glasco for the like fault." Mr David answeired, "I am not a rebell; I stand heir as the king's subject. I offer myself, in my declinatour, to the ordinarie judicatorie established alreadie by the king's lawes. Grant me the benefite of the law, and of a subject; I crave noe more." The bishop seemed to take no notice of these words, and fell to his banning, saying, "Your parochiners come to me this day, and

craved continuation upon hopes; but now your declinatour cutteth off all favour." Mr David, turning him to them, asked if they had putt them in anie hope concerning him? A number of them answeired alowde, "Nay, nay!" Then Mr David was commandit to remove. Efter his removall the Bishop of Glasco had a tedious haraunge, wherin he reported that manie had interponed their requeists for Mr David, namelie, the Erle of Eglintoun and his ladie, Mr David's father, and Mr James Robertoun, to whom he had promised, under condition of secrecie, that if Mr David behaved himself weill before the Hie Commission, he sould be suffered to returne home againe. But by his declinatour he hath spilt all: he has made it *immedicabile vulnus;* and said, he was glade that his parochiners and Mr James Robertoun were present to be witnesses of his part. Heir a great lie; for the Countess of Eglintoun had an expresse promise of him, that if Mr David caried himself quyetlie when he came to the toun of Edinburgh, he sould not be called upon before the Hie Commission. And, indeid, Mr David behaved himself so, that they could find noe fault with his behaviour. Efter Glasco had endit his haraunge, the bishops desired Mr James Robertoun, his brother-in-law, and the honest men of Irwine, to goe out, and move him to take up his declinatour againe. Mr James Robertoun craved a reasonable time, because it was not likelie he could be drawen from his reasons in a short time. The bishops answeir, "That cannot be granted." The Bishop of St Androes beganne where he endit, spewed out the malice of his minde against Mr David's person and doctrine: he called him a schismatick, an Anabaptist, one that had misled them, and filled them with phantasie. But they were otherways perswadit. Robert Broun, the toun-clerk, hearing the bishop's blasphemous railings, testified his miscontentment by a creinge[1] of his shoulders. St Androes perceiving, sayeth to him, "What, are ye, Sir, are ye led away with the same vanitie also? Reade the Scripture, reade St James. Ye have the faith of God in respect of persons. Because

[1] Shrug.

your minister sayes so and so, ye will say so also." They went out, told Mr David what the bishops had desired them to doe, but did not as they desired, because they knew what was his resolution. Within a little space, Mr David is called in againe. The Bishop of St Androes sayes to him, "Thou art a rebell, a breaker of the fyft command, disobedient to the king and us, who may be your fathers both one way and other. Ye sall ride with a thicker backe before ye ding the king's crowne off his head." Mr David answeired, "Farre may such a thought be from me. I am so farre from that, that by God's grace there sall not be a stroke come from the king's hand that sall divert my affection from him." "It is Puritane taile," saith St Androes: "Ye call the king your king, but he must be ruled by you." The Bishop of Aberdeene posed Mr David with two questions; first, "Whether will ye obey the king or not?" Mr David answeired, "I will obey the king in all things in the Lord." "I told you that," sayes Glasco; "I knew he wold eike to his limitations." Aberdeen's other question was, "May not the king give this authoritie that we have to als manie sutors or tailours of Edinburgh, to sitt and sie whether ye be doing your duetie or not?" "My declinatour answeirs that," said Mr David. The Bishop of St Androes continuing in his railing against Mr David his person and doctrine, "The devill," sayes he, "will deceive, he will draw anew with him; he has Scripture enough." He called him knave and swinger, a young lade, one that as yit might have beene teaching bairnes in the schoole. "Thou knowest Aristotle," sayes he, "but thou hast not theologie." Because he perceived Mr David gave him noe stiles, but once called him "Sir," he gnashed his teethe, and sayeth, "Ye might have called me My Lord, Sir. Long syne, when I was in Glasco, ye called me My Lord; but I cannot tell how you are become a Puritane now." Mr David stood silent all the time; once he lift up his eyes to heaven, which St Androes called a proud looke. He answered at last, "I have beene eight yeirs a regent in the Colledge of Glasco, and four yeirs a minister: these amongst whom I have lived knowes I am not the man ye call me. Say to my

person what ye please; by God's grace it sall not touch me." "Ay," said St Androes, "ye glorie in your suffering. There will be that will suffer more for a good caus than ye will doe for an evill." "Noe," sayes Mr David, "I glorie not in my suffering; but if ye will trouble me, I hope to have peace in my suffering, as I said to the Bishop of Glasco in his owne gallerie." Thus he answeired, becaus in the conference he had with Glasco in his gallerie, upon the sixt of December, he reported that noe man needit to interceede for Mr David, for he desired to suffer, he gloried in his sufferings; as if he had had some ground out of Mr David's owne words, which was untrue, as ye may sie by the conference itself above written. Glasco said, "Enough of that els." At length St Androes gives out the sentence in these words, "We deprive you of your ministrie at Irwine, and ordaine you to enter in Turreff, in the North, within twentie dayes." "The will of the Lord be done," said Mr David: "Though ye cast me off, yit the Lord will take me up. Send me where ye please. I hope my Master sall goe with me; and as he hath beene with me heirtofore, he will be with me still, as with his owne weake servant." "Sweith away!" said the bishop, as if he had been speaking to a dogge: "Pack, you swinger!" and crying to the doore-keeper, he sayes, "Shoote him out!" Robert Broun, toun-clerk of Irwin, when they were to goe furth, had these speeches, "Is that doolefull sentence of divorcement pronounced? As for you, Mr David, the Lord strengthen you to suffer; but as for you, Sirs," turning him to the bishops, "God turne all your hearts." With these words they are turning their backs and going out. St Androes cryes, "Who is that? I sall take order with you, Sir." So endit that graceless convention. Efter the sentence was pronounced, they stayed not, but come furth to the calsey, and were at the honest men's backs before they were aware. So it appeireth, they neither began nor endit with prayer. They used noe formall processe against Mr David; for the procurator-fiscall, Mr Patrik Forrest, at whose instance he was summoned, was not present. He was neither accused nor convicted. They asked not so much as, "Will ye

obey the acts of the Assemblie?" but railed onlie, and gave out the sentence, without mention of anie cause. The bishops, efter they came furth, canvassed his words, to sie if they could gett anie vantage. They confessed themselfs that they found noe words to take offence at, but onlie, that he will obey the king in the Lord, when he answeired to Aberdeen's first question; which imported, said they, als much as [that] the king commandit not in the Lord.

Mr David continued teaching till the twentie dayes were expyred, and then, becaus he had declined the ecclesiasticall stroke, not medling with the civile authoritie, he tooke instruments of his removing, and readiness to obey the king's civile commandement, and entered in his journey; wherby he stopped the mouths of these who had said that he had declined the king's authoritie. Efter that, at the Erle of Eglintoun's earnest requeist, the bishop granted Mr David libertie to come to Eglintoun, and to visite now and then his familie in Irwine, but not to preache there. So Mr David teached in the great hall of Eglintoun, weekelie, and sometimes in the closse, when the hall could not conteane the people which resorted to him out of Irwine, and other parts of his paroche. This libertie they injoyed about two moneth, till the Bishop of Glasco sent upon the elleventh of Aprile a charge to him to remove to his waird. The weeke immediatlie preceeding, when the synode conveened at Glasco, he promised to the ministers of Glasco, Mr Johne Bell and Mr Robert Wilkie, to the commissioners sent from Irwine, and fourtie other ministers, all requeisting for favour to Mr David, that he sould not be haistie in charging him, and pretendit a greatter care and love of Mr David than anie of them did. But he failed filthilie of his promise; for the day after he had made it he wrote two letters, one to be directed to the Earle of Eglintoun, another to the toun of Irwine, to assure them that he wold charge Mr David in all haste. The Provest of Irwine, commissioner for the toun, whill he was going out of Glasco homeward, received the bishop's letter from the young man whom he had imployed to carie it to Irwine. The provest, marvelling what the mater could mean, breaks up the

letter, and finding that the bishop had broken promise, goeth presentlie to Mr Johne Bell and Mr Robert Wilkie, who wold not believe him till he shewed them the letter. Then they went to the bishop, and putt him in minde of yesterday's promise, but prevailed not; returned to the provest, and some others who were with him, and confessed, howbeit both formalists, that they were ashamed of the bishop and his doing. The Earle of Eglintoun having received his letter, came to the bishop, and requeisted the charge might be delayed, at least till he returned from Edinburgh. The bishop promised to doe so, and renewed the same promise to Lord Rosse. To the one he made the promise upon the Fryday, to the other upon the Satterday; and yit, the day efter, that is upon the Sabboth-day, at the ringing of the thrid bell, rydeth out of the toun, and delivereth the charges to a messenger, commanding him to goe west on the morne and charge Mr David. Neither religion nor civilitie could bind the bishop to fidelitie. In the charge were committed two manifest falsets; for, first, they make the narrative, that they depryved him of his ministrie within this kingdome, wheras, in their sentence in the Hie Commission, they deprived him onlie of his ministrie at Irwine. Nixt, as the sentence was pronunced in the Hie Commission, they ordained Mr David onlie to enter into Turreff, in the North, without mention of confyning him within the bounds of that litle clauchan. But in the charges they command him to addresse himself to Turreff within fyfteene dayes, and to passe out of the bounds of it. Mr David addressed himself to the place of his confyning, for obedience to the civile part of the charge.

DOCTOR FORBESE ENTERETH TO EDINBURGH.

Mr William Forbese preached in Edinburgh upon the Lord's day, the 13th of Januar, upon Rom. xiv. 17. He affirmed confidentlie, the ceremonies were maters of moonshine; that the king might command them, and sould be obeyed. Being advised by the ministers of Edinburgh not to be vehement at the first entrie

in defence of the ceremonies, he tempered himself upon the Tuysday following. He was received upon Thursday, the 21st of Marche, efter the bishop's sermon. Efter the dissolving, the provest and baillies, the bishops and the ministers, went all to a bankett prepared for the purpose, and satt so long, that the session of the kirk satt not for discipline that day. But the godlie had sorrowfull hearts, both for the forme of his entrie, and his corrupt disposition; which was not long concealed, but burst furth from time to time, and that with such bitterness and furie, that he fostered the malcontentment of the better sort; but in end wearied, and went from them als unorderlie as he entered.

MR J. MURREY AND MR J. ROW CONFINED.

Upon the sixt of Februar, Mr Johne Murrey, minister at Dumfermeline, was charged, by letters of horning direct from the counsel, to repaire to the paroche of Fowles within fyfteene dayes, and to remaine there confyned. Mr Johne Row was charged to keepe within the confines of his owne paroche.

A COLLECTION FOR FRANCE.

About this time there was a collection through the countrie for the Kirk of France. It began in Edinburgh upon the twelf, and endit upon the twentie-sixt of Februar. The Nonconformitanes exceedit all others verie farre in their liberalitie. The servants maids and boyes were not behind for their part, for they contributed foure thousand merks. The summe of the whole amounted to threttie or threttie-five thousand merks. The ministers were forced to confesse that the Nonconformitanes were the honestest men in their flockes.

A SPANISH SHIP.

About this time there came in a Spanishe shipp of warre at

Montrose, under colour to mend somewhat faultishe in it. But it was judged by manie that it was sent to gett intelligence of the estate of the countrie, and to deliver some remembrances to the King of Spaine his friends, gold, powder, and bullets.

MR P. GALLOWAY'S NEW AND OLD ARGUMENTS FOR KNEILING.

Upon the Lord's day, the 17th of Marche, Mr Patrik Galloway, preaching upon the fourth of the Revelation, proved the lawfulness of kneeling at the Communion, by the falling doun of the twentie-foure elders before the throne; and affirmed they were ignorants that were contrarie myndit. The Lord's day following, he said he had betrayed the Scripture if he had beene silent, where it was so plaine for kneiling. To make all sure, he brought in his old warrants out of Psalm xcv.; Isa. xlv.; Philip. ii.

THE MEETING UPON TUYSDAY BEFORE THE COMMUNION IN EDINBURGH.

Upon Tuysday, the 17th of Aprile, the generall meeting of session, counsel, and honest citizens of Edinburgh, before the Communion, was holden in the Litle Kirk. Mr Andro Ramsay, moderator, efter he had declared the ends wherefore they were conveened, before the ministers were removed, he said, "Our doctrine comes not under your censure; yit our lives and conversation we submitt, for modestie's sake, to be censured, howbeit we are not bound to submitt it either." They remove. The citizens were thrise inquired what they had to object against their life and conversation. Mr Thomas Gray, an advocate, stoode up and said, "I heard a minister of Edinburgh (meaning Mr Patrik Galloway) teache erroneous doctrine two sundrie Sabboth-dayes, building two arguments for kneeling at the Communion upon a false ground." The provest commandit him silence verie imperiouslie, and threatened him with wairding. James Weill, merchant, stoode up and said, "I reverence our ministers so farre as they will follow Christ;

but I will not follow them in kneeling at the receiving of the sacrament, or in keeping holie dayes." The provest commandit them both silence, and caused call in the ministers, to whom he said, "The clerk hath asked, if anie man had anie thing to object against your life or conversation, but all have keeped silence." James Weill answeired, "My Lord, all have not keeped silence, for some of us have spoken." The provest, yit more inraged, said, "What a clattering fellow this is!" and threatened to waird him. Mr Thomas Gray desired again to be heard. The provest called him capped, and called for the officers to waird him. He insisted, and said, "I crave license of the moderator to be heard, that I may improve the false doctrine which I heard delivered, which I sall doe with good reason."

MR R. BRUCE CHARGED TO ENTER IN INNERNESS.

Mr Robert Bruce could gett rest in no place. When he was in Sterline he behoved to remove to Monkland, but was not suffered to remaine long at Monkland. After he had buildit, repaired, and plenished his owne paroche kirk of Lairber, and had taught in it a yeir or two, they removed him from it also. There rested nothing but his owne house wherin he dwelt, yit becaus they saw it was a confort to him, they removed him from it also. He had beene charged to enter in Innernesse; the counsel had written to the king to suffer him to be wairdit in his owne house till the winter season were past. This answeir was returned about the end of Marche: "It is not for love of Mr Robert that ye have written, but to interteane a schisme in the kirk. We will have noe moe Popishe pilgrimages to Kinaird; he sall goe to Innernesse." So he was forced to addresse himself to his confine, and entered in his journey on the 18th of Aprile.

GOOD FRYDAY KEEPED.

The ministers of Edinburgh began their Good Fryday sermon

at nyne hours, as if it had beene a Sabboth-day. Mr Patrik came not to the kirks of Edinburgh upon the week days for a twelfe moneth before, yit he came to countenance this sermon.

EASTER COMMUNION AT EDINBURGH.

Upon Easter day, the 21st of Aprile, Mr Patrik, preaching upon 1 Cor. xi., said, that the Kirk of Scotland had wont to sitt, but so did noe other reformed kirk; the Kirk of France stood; the worthie Kirks of England and Bohemia kneell. Therefore the kirk, the parliament, the king, and the estates, have thought good that conformitie be keeped with the best reformed kirks; and have ordained, that the Kirk of Scotland sould kneele at the receiving of the Communion. To therselfs be it said, to God be it said, to the king be it said, if ye kneele not, and let it be upon your owne perill, for now there is a law established by act of Parliament for it. Efter sermon, he came to the table to consecrate the elements. There were four cupps full of wine, where two might have serv'd; for there were about two hundreth and fiftie communicants onlie in the Old Kirk, and had thrie ministers to attend upon them. Mr Patrik rysing up efter the consecration, taketh hold of the table for helpe, overturneth the foure cupps and the two basens that had the bread in them, for the table was lowse and not sure sett. The bread and the table-cloths were all wett. It behoved the Deane of Gild to runne and gett new provision of table-cloths, breade, and wine. Among all the two hundreth and fiftie there was not a man of honest countenance but the President, Sir William Oliphant, the Advocate, Sir Henrie Wardlaw, the Provest, the Deane of Gild, Dame Dick, and the Maister of Warks' wife, and two baillies, who communicate not: plaids, gray clocks, and blew bonnets, made the greatest shew. The ministers had gotten at the last parliament all the inhabitants within the ports, parochiners either of the West Kirk or of the Abbay Kirk, which amounted to the number of two thousand and two hundreth communicants, joyned to their flocke. Of these, for the most part,

consisted the communicants of the Old Kirk for that day. All kneeled who were present, except foure simple persons, and Mr Andro Ramsay's wife, who satt; howbeit her husband kneeled, and the two baillies who did not communicate. All the communicants of the Colledge Kirk satt, except Mr Alexander Moresone, Mr Alexander Peirson, Johne Gilmour, Mr Thomas Sydserfe's wife, and a slight gentlewoman; and the three ministers, Doctor Forbesse, Mr William Struthers, and Mr Thomas Sydserfe, who all kneeled. Upon the 28th of Aprile, Mr Thomas had fewer communicants, and these of the basest sort in all Edinburgh. Yit manie of them satt, which greeved him to the heart, till at last his furie brake out upon a poore woman. Efter he had given her the element of the breade, he said, "Can thou tell what that is? Bow, bow!" Before she gate the cuppe he wold have her to kneele. The woman was greeved, and wished she had not come there. He said to a simple man, "Sitt ye so misleirdlie? bow doun and kneele." The man answeired, "If I doe wrong, ye have beene teaching me wrong these fourtie-three yeirs bygone." Mr Patrik's owne gesture was marked to be this that same day; he bowed the one legge, had the sole of his other foote upon the ground, and satt withall upon the furme. None kneeled this day in the Colledge Kirk but the three ministers. Mr Patrik was forewarned, if he behaved himself so imperiouslie he wold gett fewer communicants in time coming. He offered the nixt day to give it to the communicants sitting, standing, or kneeling; but he had few to receive it, partlie because of his imperious cariage the day before, partlie becaus the Communion was celebrate that day in Dalkeith, Duddingstoun, and Tranent, to which places manie of the people of Edinburgh resorted.

ST ANDROES CALME AT THE SYNODE.

Upon Tuysday, the last of Aprile, the bishop held a diocesan synod in St Androes the space of two houres. He rebuked some ministers that urged kneeling too much upon the people. It was

reported that the Bishop of Canterburie had written to him, and desired him not to urge the ceremonies now when weightier effairs were in hand. Others report, that he said onlie that the execution of the acts was delayed by reason of the king's great effairs at that time. Howsoever it be, Sathan and his instruments can choose their owne fitt times for their best advantage.

A FAST.

Upon the Lord's day, the 12th of May, there was a solemne fast keeped in the kirk of Edinburgh, and the weeke efter there were two sermons in two kirks everie day. But the Chancelour and Secretar, howbeit they were in the toun, came not to the sermons on the week days. The causes of the fast were, grouth of sin, appeirance of dearth and famine, the troubled estate of the Kirks of France, Germanie, and Bohemia; but noe mention was made of the rent that was in the kirk at home.

THE LANDGRAVE OF HESSEN'S SON IN SCOTLAND.

The Landgrave of Hessen his eldest sone of the second mariage came to Edinburgh the 29th of May. His lodging and intertainement was not looked to with that respect that became.

A FYRIE DRAGON.

Upon Monday, the 3d of June, there was a fyrie dragon, both great and long, appeared to come from the south to the north, spouting fire from her, halfe an houre efter the going to of the sunne.

CHANCELOUR SETOUN'S DEATH.

Upon the 16th of June, Mr Alexander Setoun, Earle of Dumfermeline, and Chancelour of Scotland, departed this life efter

fourteene dayes sicknesse. Howsoever he was Popishlie disposed in his religion, yit he condemned manie abuses and corruptions in the Kirk of Rome. He was a good justicier, courteous and humane both to strangers and to his owne countrie people, but noe good friend to the bishops. The Bishop of St Androes looked to have succeedit to him in his office, and gave over the place he had in the session to his sone.

GEORGE JHONSON SUMMONED AND DEPRIVED.

George Jhonson, minister at Ancrome, and Mr Thomas Abernethie, minister at Ekfoord, were summoned to compeir before the Hie Commission the 28th of June. The tenor of the summons here followes:—

"JOHNE, by the mercie of God, Archbishop of St Androes, Primate and Metropolitane of Scotland; and JAMES, Archbishop of Glasco, to our lovits, Johne Murrey, * executors heirof, conjunctlie and severallie, speciallie constitute, greeting.—Forsameikle as George Jhonson, minister at Ancrome, and Mr Thomas Abernethie, minister at Ekfurd, being diverse and sundrie times most earnestlie required and desired to conforme themselfs in obedience to the acts of the last Generall Assemblie holden at Perth, upon the 25th day of August, 1618 yeirs; and speciallie, in preaching to the people the storie of Christ's Nativitie, Passion, and Resurrection, upon the dayes appointed therto by the said Assemblie, and in ministering the Holie Sacrament of the Communion according to the forme prescribed: Notwithstanding of the which acts, the forsaids persons, and ilk ane of them, does continue wilfull and obstinate in their disobedience to the saids acts, by the which great offence is given to manie of his Majestie's lieges, and occasion to disobey the authoritie and discipline of the kirk; and therefore the saids persons, and ilk ane of them, has most evidentlie and contempteouslie contraveened the saids acts of Generall Assemblie, and ought and sould be deprived of all

function of the ministrie, and be decerned to incurre the whole censures and paines conteaned in the saids acts, and which we, by vertue of his Majestie's Hie Commission, may impose or inflict upon them, for their contumacie and disobedience.

"Heirfore, we charge you straitlie and commands, that incontinent efter sight heirof ye pass, and lawfullie summone, wairne, and charge the forsaids persons, and ilk ane of them, to compeir before us and our associats, commissioners appointed by his Majestie's Hie Commission, at Edinburgh, the 28th day of June nixt, at ten houres, to answeir at the instance of Mr Patrik Forrest, our Procurator-Fiscall: That is to say, the foresaid persons, and ilk ane of them, to heare and see the premisses verified and proven against them; and being verified and proven, the forsaids persons, and ilk ane of them, decerned to be deprived of all function of the ministrie in time coming, and to be punished by all censures and paines that we, by the saids acts of Generall Assemblie, and by vertue of his Majestie's Hie Commission, may impose upon them: Certifying them, and ilk ane of them, if they failzie, we will decerne in maner forsaid, and caus letters be direct, for denuncing of the forsaids persons his Majestie's rebells, for their contumacie and non-compeirance; as ye will answeir to us therupon. The which to doe we committ to you, conjunctlie and severallie, our full power, by this our precept, subscribed by our clerk. Our seale is affixed.

"At Edinburgh, the 18th day of June, 1622."

George Jhonson sent this excuse following:—

"Wheras I am cited before your lordships now the second time, for some alledged omissions in my ministrie, wherby evill exemple is given to my brethren, and I therfore threatned with deprivation and horning, my answeir is as it was in winter last: If my age of seventie-three yeirs, with my infirmities, viz., swelling in both my legges, my fever accustomed efter my travell in the free air, with other miseries following age, which I referre your lordships to the consideration of; having moreover past a jubile of yeers in the

ministrie, never being depryved, nor yit suspendit, (howbeit oft accused,) may not hold me excused from coming to Edinburgh with manifest hazard of my health and life, I offering in my last letter to compeir where thir two may be safe, to give an answeir to your lordships, or anie competent and indifferent judge. If thir reasons, I say, cannot satisfie your lordships, I take me to God's mercie, not being guiltie of anie committed crime, either to be layde to my charge, or yit to my conscience. Yit expecting your brotherlie sentence, I rest your servant in the Lord, this 25th of June, 1622.

"Ingerere violentiam naturæ ominosum est. Quæ parentibus feceris eadem, etc. Pueritia apud omnes meretur favorem, commiserationem senectus. Calumniatorem oderis.

"GEORGE JHONSON, Minister at Ancrome.

"I am ofter nor thrise charged by my patrone to come in for weightie causes with my Lord of Roxburgh, with Castleside, and with Mr James Law, but durst not hazard. Lastlie, I am charged before an Heid Court to be holden in Ancrome, upon the 28th of this instant, where I have to persue and defend maters of weight anent the kirk, and other things.

"GEORGE JHONSON."

They proceedit notwithstanding to the sentence of deprivation, the tenor wherof here followeth :—

"*At Edinburgh, the 29th day of June*, 1622 *yeirs.*

"JOHNE, by the mercie of God, Archbishop of St Androes, Primate and Metropolitane of Scotland; JAMES Archbishop of Glasco; PATRIK Bishop of Aberdeene, ANDRO Bishop of Galloway, PATRIK Bishop of Rosse, JOHNE Bishop of Caithness, commissioners appointed by his Majestie's Hie Commission, and beand present. Anent the summones raised at the instance of Mr Patrik Forest, Procurator-Fiscall, against George Jhonson, minister at Ancrome, makand mention, that where he being diverse and sun-

drie times most earnestlie required and desired to conforme himself in obedience to the acts of the last Generall Assemblie holden at Perth, upon the 15th day of August, 1618 yeirs; and speciallie, in preaching to the people the storie of Christ's Nativitie, Passion, and Resurrection, upon the dayes appointed therto by the said Assemblie, and in ministering the Holie Sacrament of the Communion according to the order prescribed. Notwithstanding of the which acts, the said George does continue wilfull and obstinate in disobedience to the said acts, by the which, great offence is given to manie of his Majestie's leiges, and occasion to disobey the authoritie and discipline of the kirk: And, therfore, the said George has most evidentlie and contempteouslie contraveened the said acts of Generall Assemblie, and ought and sould be deprived of all function of the ministrie, and decerned to incurre the whole censures and paines contained in the saids acts, and which we, by vertue of his Majestie's Hie Commission, may impose or inflict upon him, for his contumacie and disobedience; as the summones at lenth beares. The said Mr Patrik Forrest, Procurator-Fiscall, being personallie present, and the said George Jhonson, defender, being lawfullie summoned to this day, oftymes called, and not compeirand, the saids Lords of his Majestie's Hie Commission, by their decreete, deprives the said George Jhonson of all function of the ministrie in time coming. And siklyke, decernes and ordains the said George Jhonson to enter himself to waird in Annand, in Annandaill, betwixt and the * * * day of * * * 1622 yeirs, and therin to remaine during his Majestie's will; and ordaines letters to be direct from his Majestie's Privie Counsell, charging him, under the paine of horning, to the effect forsaid, for the causes above mentioned. Becaus the said George Jhonson being lawfullie summoned to this day, to have compeired before the saids Lords of his Majestie's Hie Commission, to have heard and seene the premisses verified and proven, to have heard and seene himself decerned to have beene deprived in maner foresaid, or els to have shewen a reasonable cause why the samine sould not have beene done; with certi-

fication to him and he failyed, the saids Lords wold decerne in maner forsaid, he compeired not to that effect, as was cleerelie knowen to the saids Lords of his Majestie's Hie Commission. In respect wherof, they decerned in maner forsaid.

"Extract forth of the Registre of Hie Commission, by Mr Thomas Marshall, Clerk of the samine, witnessing heirunto my signe and subscription manuall."

He continued teaching everie Lord's day, not knowing that they had deprived him, till they intrudit not long after a young man, Mr William Bennet, in his place, as vacand by deprivation of the said George.

Mr Thomas Abernethie compeired. What past betwixt him and the Hie Commission was not weill knowne. His brother, the Bishop of Caithness, dressed the mater weill enough, and Mr Thomas was delayed for the fashion till the 9th of Julie, as for the fashion he was joyned with George Jhonson in the summones; but George Jhonson was the man at whom Glasco and Caithness had their propped shott.

JOHNE SMITH CITED.

Johne Smith, minister at Maxtoun, was cited to compeir before the Hie Commission; but at the intercession of Mr Andro Ramsay, one of the ministers of Edinburgh, he was spaired.

The king being informed that a young student had delivered in his sermoun sonie positions concerning the duetie of subjects to their princes, which seemed to him dangerous; viz., That subjects might oppone to them, and stay their crueltie, if they proved tyrannes, caused examine him. The young man alledged the authoritie of Paræus wryting upon the 13 cap. of the Epistle to the Romanes. Wherupon he was committed to prison; and the king caused call in Paræus' Commentarie upon that Epistle, and burnt it openlie at Paul's Crosse.

The Universitie of Oxford, at the king's desire, gave out a decrie upon the 5th of June, wherin they condemned the positions fol-

lowing, as maintained by Jesuits and Puritans; the thrid as supponing false grounds, the rest as erroneous and seditious.

Proposition 1. Bishops and pastors may and ought, with the consent of the Church, deliver to Sathan their magistrats, being impious and unjust, if they be contumacious, untill they repent.

Propos. 2. Subjects, not being private persons, but placed in inferiour magistracie, may lawfullie defend, even by armes, themselfs and the commonwealth, and the Church or true religion, against the superiour magistrate, observing these conditions: 1. When the superiour magistrate degenerateth into a tyranne. 2. Or by force will compell themselfs or other subjects to manifest idolatrie and blasphemie. 3. When an haynous injurie is done to themselfs. 4. If otherwise, they cannot be safe in fortunes, life, and conscience. 5. That they seeke not their owne under pretence of religion. 6. Observing always the weill ordering of an unblamable protection, according to the lawes.

Propos. 3. It is not lawfull for meere private subjects, without a lawfull calling, to take armes, either to invade tyrannes before danger, or to defend themselfs in danger, or to revenge themselfs after danger, if they may be defendit by ordinarie power.

Propos. 4. If a tyranne, as a robber or a ravisher, sall violentlie assault subjects meerlie private, and they can neither implore ordinarie power, nor by anie way escape the danger, it is lawfull to defend themselfs and theirs against the tyranne, as against a private destroyer.

The Universitie of Oxford condemneth these and like propositions, as false, impious, and seditious, what wryter soever defend them. It also teacheth and defendeth, according to the canon of the Scripture, that subjects ought not in anie sort resist their king or prince by force and armes. Neither is it lawfull for them to take armes, either offensive or defensive, against their king or prince in the caus of religion, or in anie other mater whatsoever.

Moreover, the famous Convocation of Doctors, Proctors, Maisters, Regent, and Non-regent, with one consent hath decried, that all Doctors and Maisters of the Universitie of Oxford, together with

Batchelours in Law and in Physicke, sall subscribe to the censures and decrees aforesaid.

The famous Convocation of Doctors, Proctors, etc., hath yit further decreed, that everie one to be admitted to degrees in what facultie soever, sall before admission subscribe to the trueth of these; and further, at the same time take a corporall oath that he doth not onlie for the present from his heart condemne and detest the forsaid propositions, but that he will condemne and detest them for ever. The forme of the oath followeth in these words :—

"You sall sweare, that from the heart, and in good faith, you consent to the decree of the Convocation had on Wednesday, being the 25th of June, in the yeir of our Lord 1622, against propositions false, seditious, impious, then and there condemned; and that you sall not teache, defend, or hold openlie or secretlie anie of the forsaid conclusions or their meaning. Neither sall you aide anie suche teacher or defender with helpe, counsel, or countenance, but sall hinder him to the uttermost of your power. So God you helpe, the holie Gospells of God being touched."

The books of Commentaries of David Paræus upon the Epistle of St Paul to the Romanes, wherin all the forsaid false, impious, and seditious propositions are by Paræus himself expoundit and defendit, was by authoritie burned on Thursday, the sixt of June, in the yeare of our Lord 1622, in a solemne convention of all the Doctors, Masters of Colledges, as also of the publict readers of the said Universitie of Oxford.

THE DECRIE OF CAMBRIDGE MUSES IN A FULL CONVENTION, 3 JULIE, 1622.

The Vice-Chancelour had scarselie mentioned the king's authoritie and the people's subjection, when it was generallie in a low voice said, "We stay not till the proctors put the question to voices. Everie soule is subject to the higher powers. There is noe power but of God. The powers that be are of God ordained.

Whosoever opposeth himself to power, resisteth God's ordinance. They who resist gett to themselfs condemnation." So that they all as one man consented to the forme of their decrie.

"It is a pious assertion, that a king in his kingdome is inferiour to God onlie, he being truelie a monarche in all things nixt unto God, to whom he ringeth, sweareth, and is bound to none other. God alone looks to him that he doe not sin; God alone taketh vengeance if he doe sin. Whosoever sall cover strange courses with the vizard of religion, be he of a damned faith, and condemned to the fire. And let them know that they are guiltie of a capitall crime, who, pretending God's caus, are authors of commotion among the people.

"To the people, supplications; to the inferiour governours, counsels; to both, prayers are left: nothing els. God hath separated the empires of kings and his owne from intermedlings tribunitiall. It doth surmount all impietie to violate pietie, under pretence that it sould not be violated.

"D. Paræus, Buchananus; Bucanus, the author of *Vindiciæ in Tyrannos*, be they for this caus infamous for ever. If anie other have written the like, being first brandit with this our censure, be they condemned to the fire, and places of stenche. Let noe man praise, reade rashlie, or have to himself these execrable heads. Whosoever sall be otherwise, let him be condemned to pay that mulct which the Universitie sall impose. If, being commandit, he will not forsweare this opinion, be he charged with heresie, and let the commonwealth looke to his treason.

"This is the censure of the Muses, D. Maus, Master of Peterhous, being Vice-Chancelour."

When the proctors had redd, all the whole senate often cried out, "It pleaseth us: write. So we beleeve, so we censure, so we vow."

The ministers of Londoun were urged to subscribe these lynes following, to testifie their dislyke of the same opinions; which they did without scruple:—

"The power of kings and monarches being absolute, and inde-

pendant of anie but Almightie God; who ought not by anie to be questioned but by God himself, who onlie is the disposer of kings and crownes, placing them where it pleaseth him: And yit of late, by reason of a sermon preached at Oxford by a young scholler, the question is awaked againe, which we hoped weill might otherwise have sleipt his last; and have authors avowed, as namelie, Paræus' *Vindiciæ contra Tyrannos*, and such others, for the deposing of kings in some cases by the nobles or people, or subordinate magistrates: Of which authors, some doe beare the name of Protestants, whereby the religion professed in this royall monarchie may receive some scandall, and heirafter be subject to calumnie: Therefore, we, the Bishop and Clergie of Londoun, in respect of our dueties to God and his sacred Majestie, and by reason of our locall vicinitie to the royall throne, receiving soonner notice of the accident, doe not onlie so farre as in us lyeth condemne the forsaid authors for their opinions, and the rest, as scandalous and blasphemous against God and the soveraigne power established by him; but also, are bold to begin unto the rest of our brethren an holie vow and protestation before God and all the world, that their opinion, namlie, that anie earthlie power, by anie meanes whatsoever, may lawfullie depose kings, or dispossesse them of anie authoritie they have over their people, is a seditious opinion, false and hereticall. And we protest further, that whillest we live, we will defend and perswade the contrarie, as occasion sall serve to the king's people, and by our pennes and wrytings oppose the contrarie written by anie other; and if there be occasion, will seale it with the last testimonie of our blood and lives."

SIR GEORGE HAY MADE CHANCELOUR.

In the moneth of Julie, Sir George Hay, Clerk of Registre, who was at court when Chancelour Setoun died, was made Chancelour. The secretare's brother, Mr Johne Hammiltoun, servant and agent to the Marqueis of Hammiltoun, was made Clerk of Registre. So the Bishop of St Androes and sundrie noblemen were disappointed.

The king gave a warrant to sett at libertie Papists and recusants imprisoned for religion in England; wherupon the Lord Keeper directed his letter to the judges as followeth:—

"After my verie heartie commendations to you.

"His Majestie having resolved, out of deepe reasons of state, and expectancies of like correspondencies from forreine princes to the professours of our religion, to grant some grace and connivence to the imprisoned Papists of this kingdome, and commandit me to passe two writts under the Great Seale for the same purpose, requiring the judges of everie circuite to inlarge the said prisoners, according to the tenour and effect of the same: I am to give you to understand from his Majestie, how his royall pleasure is, that upon the receate of the said writts, you sall make noe nyceness or difficultie to extend this his princelie favour to all such Papists as you sall find imprisoned in the javells of your circuite, for anie their recusancie whatsoever; or for having or dispersing Popish books, or for hearing of messe, or anie other part of recusancie which doth concerne religion onlie, and not mater of state, which sall appeare unto you to be meerelie or totallie civile or politicall. And so, I bid you most heartilie farewell.

"Your assured loving freind,

"Jo. Lincolne, C. S.

"Westminster Colledge, this 2d of August, 1622."

THE KING'S LETTER, AND DIRECTIONS CONCERNING PREACHERS, DIRECTED TO THE ARCHBISHOPS IN THE BEGINNING OF AUGUST.

"James Rex.

"Most Reverend Father in God, our right trustie, and right welbeloved, we greete you weill.—Forasmuche as the abuses and extravagancies of preachours in the pulpit have been in all times repressed in this realme, by some acts of counsel or state, with the advice and resolution of grave and learned prelates, in so much as

the verie licencing of preachours had beginning from an order of Starre Chamber, the 8th day of Julie, in the 19th yeire of King Henrie the Eight, our noble predecessour: And wheras, at this present, diverse young students, by reading of late wryters, and ungroundit divines, doe broatche manie times, unprofitable, unsound, seditious, and dangerous doctrines, to the scandall of this church, and disquieting of the state and present governement: We, upon the humble representation unto us of these inconveniences, by sundrie grave and reverend prelats of this church, and also of princelie care and zeale for the extirpation of schisme and dissention, growing from these seeds, and for the settling of a religious and peaceable governement, both of church and state, doe by our speciall letters straitlie charge and command you to use all possible care and diligence that these limitations and cautions herewith sent unto you concerning preachours, be duelie and straightlie from henceforth observed, and put in practise by the severall bishops of their severall diocies within your jurisdiction. And to this end, our pleasure is, that you send them furthwith severall coppies of these directions, to be by them speedilie sent and communicated to everie persone, vicare, curate, lecturer, and minister in everie cathedrall or paroche church within their severall diocies; and that you earnestlie require them to imploy their utmost indevoures in the performance of this so importunate a bussiness: letting them know that we have a speciall eye to their proceedings, and expect a strict account therof, both from you and everie one of them. And these our letters sall be a sufficient warrant and discharge in this behalfe.

"Given under our signet, at our Castle of Winzor, the 4th day of August, in the 20th yeer of our raigne of England, France, and Ireland, and of Scotland the 56th."

TO THE MOST REVEREND FATHER IN GOD, OUR RIGHT TRUSTIE AND RIGHT INTEIRLIE BELOVED, THE LORD ARCHBISHOP OF YORKE.

"*Directions concerning Preachours.*

"JAMES REX.

"That noe preachour under the degree or calling of a bishop, or deane of a cathedrall or collegiate church, and they upon the king's dayes onlie and sett festivalls, doe take occasion by the expounding of anie text of Scripture whatsoever, to fall into anie sett discourse or commounplace, otherwise than by opening the coherence and division of his text, which sall be comprehendit and warranted in essence, substance, effect, or naturall inference, within some one of the Articles of Religion sett furth in the yeir 1562, or in some one of the Homilies sett furth by authoritie in the Church of England, not onlie for a helpe to the non-preaching, but withall for a paterne and boundarie, as it were, for the preaching ministers, and for their instruction for the performance therof, that they furthwith reade over and peruse diligentlie the said Book of Articles and the two Books of Homilies.

"That no person, vicare, curat, or lecturer, sall preache anie sermon or collation heirafter upon Sondays and holie dayes, in the efternoone, in anie cathedrall or paroche church throughout the kingdome, but upon some part of the Catechisme, or some text taken out of the Creede, Ten Commandements, or the Lord's Prayer, funerall sermons onlie excepted. And that those preachours be most incouraged and approved, who spend the efternoone's exercise in the examining of children in the Catechismes, and in the expounding of the severall points and heads of the Catechisme, which is the most laudable custome of teaching in the Church of England.

"That no preachour, of what title soever under the degree of a bishop, or deane at the least, doe from hencefurth presume to preache in anie populare auditorie the deepe points of Predestina-

tion, Election, Reprobation, or of the universalitie, efficacie, resistibilitie, or unresistibilitie of God's grace; but leave these theames to be handled by learned men, and that moderatelie and modestlie, by way of use and application rather than by way of positive doctrine, as being fitter for the schooles and universities than for simple auditories.

"That noe preachour, of what title or denomination soever, sall presume from hencefurth, in anie auditorie within this kingdome, to declare, limite, or bound out by way of positive doctrine in anie lecture or sermon, the power, prerogative, jurisdiction, authoritie, or duetie of soveraigne princes, or otherwise medle with these maters of state, and the references betwixt princes and the people, than as they are instructed and presidented by the Homilie of Obedience, and in the rest of the Homilies and Articles of Religion sett furth, as before is mentioned. But rather confyne themselfs whollie to these two heads of faith and good life, which are the subject of the ancient sermons and homilies.

"That no preachour, of what title or denomination soever, sall causleslie, or without invitation from his text, fall into bitter invectives and undecent railing speeches against the persons of either Papists or Puritanes; but modestlie and gravelie, when they are occasioned therunto by the texts of the Scripture, free both the doctrine and the discipline of the Church of England from the aspersions of either adversarie, especiallie where the auditorie is suspected to be tainted with the one or the other infection.

"Lastlie, that the archbishops, bishops of the kingdome, whom his Majestie hath good caus to name for this former remissness, be more warrie and choyse in licensing of preachours, and revoke all grants made to anie chancelour, officiall, or commissar, to pass licences in this kind; and that all the lecturers throughout the kingdome (a new bodie severed from the ancient clergie of England, as being neither persons, vicares, nor curats) be licensed henceforward in the Court of Faculties onlie, upon recommendation from the bishop of the diocie under his hand and seale, with

a fiat from the Lord Archbishop of Canterburie, and a confirmation under the Great Seale of England.

"And that such as transgress anie one of these directions be suspendit by the Lord Bishop of the diocie, or in his default, by the Archbishop of the province, *ab officio et beneficio*, for a yeer and a day, untill his Majestie, by advise of the nixt Convocation, sall prescribe some further punishment."

By these directions or injunctions, ye may sie Papists and Arminians, howbeit never so bussie in poysoning and infecting the people, must not be medled with, but suffered to seduce and pervert unstable soules; and the Puritane is joyned with the Papist for a colour onlie.

THE FYFT OF AUGUST.

Mr Patrik Galloway preached upon Monday the fyft of August, but not upon the Lord's day before. He complained upon the raritie of the auditorie; but said, If there were but foure to give God thankes for the king's deliverie that day, he sould be one of the foure. It was replyed by one of his hearers under thoume,[1] that if others had beene als well rewairdit for keeping that day, there wold have been enow to heare him.

THE VISITATION OF KINGHORNE.

The Bishop of St Androes, preaching upon the sixt of August, at the visitation of Kinghorne, the Presbyterie of Kirkaldie being present, called Mr Johne Davidsone the maddest man that ever he knew. "For," sayes he, "beside his unquietness otherwise, he wrott a booke intituled '*De Hostibus Christi*,' where he brought in the king last as the greattest enemie of all;" that he presented the booke to the king, that the king, efter he had redd it, cutted it in peeces, and burnt it. Farther, he said, "I will not urge you to obey the ceremonies; yit I protest, except ye obey them ye

[1] Under thumb; that is, speaking under breath, or aside.

sall never come to heaven, for disobeying the king's lawes and the kirk's." His purpose in speeking so calmelie was to procure their favour to their minister. Efter sermon, Mr Johne Mitchelsone and their intrudit minister, Mr Alexander Scrimgeour, desired that none brooke place in the session that wold not kneele, or els there wold be noe order gotten of them. The bishop answeired, There was too great a rent in the kirk alreadie: it is not time now to urge these things: and placed these whom Mr Alexander Scrimgeour had displaced; and then desired the honest men whom he placed in the session to take Mr Alexander, the intrudit minister, by the hand; which they did, with these words, "We never acknowledgit you to be our minister whill now;" and invited the bishop and the ministers to the banket. So by the bishop's deceatefull words, and shew of opposition to Mr Alexander Scrimgeour and Mr Mitchelsone, the simple men were induced to accept the minister intrudit in the place of Mr Johne Scrimgeour, their lawfull pastor. The nixt Lord's day, the bishop having returned from Edinburgh, preached againe in Kinghorne, and gave the honest men the banket. Efter dinner he went to his coatche, and forward in his journey, according to his custome.

PATRIK RUTHVEN'S LIBERTIE.

Upon the 12th of August certane report was brought hither, that Patrik Ruthven, brother to the Earle of Gowrie, was sett at libertie out of the Tower.

THE DIOCESAN SYNOD OF FYFE.

In the diocesan synod of Fyfe, holden at St Androes in the beginning of October, it was ordained, that ministers teache noe other doctrine upon the Lord's day efternoone but some part of the Catechisme. This flowed from the directions above written, which were given to the two English archbishops.

MR ANDRO. DUNCANE HIS LETTER TO THE BISHOP OF ST ANDROES.

"To the Bishop of St Androes, this bill to be delivered in hand.

"MY LORD,—It might be supponed, that seing I have beene so manie yeers under sentence of banishment and imprisonment, I might now at last, in my old dayes, looke for some pittie and ease; and so meikle the rather, in respect that favour is now extendit to enemies of the trueth and estate, commandement being given out to sett them at large out of their wairds and prisones. We that are Christ's servants and ministers then might be worthilie blamed, if we expected lesse than these have alreadie obtained. I must therefore requeist it wold now at last please you not to trouble me, although I goe and serve my Maister in that calling he has sett me in. King Adonibezeck's judgment sould affray merciless soules. Hall binks are slidderie, ye know, and earthlie courts are kittle; and king's minions are sett up on highe skelfes, but slipperie and dangerous. I have seene one right highe mounted in your rowme and course, that gatt a foule and shamefull fall. Pitie your poore soule, and looke up to Him that can do this, the Mightiest. I beseeke you, remember ye have overthrowne my poore estate; but what racke of that? ye have hindered God's worke to be done in manie and manie places. The Lord of Heaven give you remorse. I beseeche you, as ye tender your owne salvation, play noe more the burrio upon your brethren: that is the devill's part. Returne, amend, and disappoint manie. If ye pertaine to God, thir lynes will doe you noe ill. God make you seeke mercie and mend.

"Yours to be commandit in all good,

"ANDRO DUNCAN,

"Minister of God's Word at Craill.

"I beseeche you for an answeir with the bearer.

"Anstruther, 23d of October, 1622."

THE BISHOP'S ANSWEIR AT THE END OF THE LETTER.

"BROTHER,—I am sorie to sie you insist in your follies. Our kirk has not need of such spirits, speciallie at this time. Ye sall doe weill to be quiet, least ye fall into the hands of worse burrioes than I have beene. I mynd to die without remorse for anie thought or deid I have ever had or kythed to you or anie of the brethren. I returne you your owne letter to feid upon. Fairwell.

"To Mr Andro Duncan at Anstruther."

THANKSGIVING FOR PEACE IN FRANCE.

The Bishop of St Androes holding a diocesan synode at Edinburgh upon the 12th of November, it was ordained, that in all the kirks of the diocie there sall be publict thanksgiving to God upon the 22d of November, for the peace concludit betweene the King of France and the Protestants; speciallie for that God had made our king an happie instrument to bring it to passe. But it was commonlie talked, that the King of France was driven to peace through necessitie, having spent much money, and lost manie noblemen and gentlemen in the warre.

THE KING'S DECLARATION ANENT PAPISTS.

Upon the 14th of November, the king's letter, sent to the bishops or Lords of Secrete Counsel, was redd, wherin he declared, that howbeit for certane causes of estate he had given toleration or freedome to some imprisoned Papists in England, yit it was never his mynd to give libertie of conscience to Papists, farre lesse occasion to Puritanes, therby to repyne against his lawes; and, therefore, it was his will, that the law sould be putt in execution without delay against both Papists and Puritanes, that both may be made obedient to the lawes.

THE KING OFFENDIT AT MR R. BOYD'S ADMISSION.

Upon the 23d of December, the Provest, Baillies, and Counsel of Edinburgh, were challenged, by a letter from the king, for admitting Mr Robert Boyde to be Principall of their Colledge, and commandit to urge him to conforme or to remove him. They sent to court to the courteour who sent the challenge in the king's name, and desired him to intreate the king not to take in ill part Mr Robert's admission, in respect of his gifts and peaceable disposition.

MR R. BRUCE HARDLIE USED AT INNERNESSE.

Mr Robert Bruce was so hardlie used at Innernesse, that he was forced to remove out of it; for he could not gett convenient lodging, or at least keepe it long, for wairning to remove. The Lord Enzie vexed him with reproachfull speeches against the servants of God, and finding fault with his doctrine as treasonable. It was likelie, also, that he wrought him fasherie about his lodging. Mr Johne Gordoun, minister at Stradoun, stirred the Lord Enzie against him, for noe other caus but becaus Mr Robert, one day discoursing upon the dolour of the mind, shewed they were unskilfull physicians that wold take a drink of wyne, or Wallace booke[1] to reade upon, as meete physick for such a disease. Mr Johne being present without Mr Robert's knowledge, applyed the doctrine to himself, and belshed out reproachfull speeches against Mr Robert. Yit through intreattie, Mr Robert was induced to returne from the Channonrie to Innernesse. When my Lord Enzie came to Edinburgh he had peace and rest, but when my Lord Enzie went home againe, his battaill was renewed. At last, a fashion of reconciliation was made by my Lord Lovat's meanes.]

[1] Book narrating the exploits of Sir William Wallace;—or Romance in general.

M.DC.XXIII.

MR R. BLAIR TROUBLED.

Upon Tuysday, the fourth of Januar, the Bishop of Glasco and Mr Johne Cameron, with their associats, examined Mr Robert Blair, one of the Regents of the Colledge of Glasco, upon some dictats to his schollers, when he was teaching the Ethicks and the Politicks. Cameron hating him for his sinceritie, searched mater of accusation amongst the schollers' notes. They accused him of two points: First, That he had taught that the people did weill in rescueing Jonathan out of the hands of Saul; which he did not deny, but wold have exponed himself thus, that they had not done weill to rescue him by force of armes. But they wold not suffer him to expone himself, but sent up his deposition to the king. Mr Robert perceiving to what height their malice tendit, quite his place. But Cameron himself was so misliked by the people, that he was forced not long efter to remove out of Glasco.

MR D. DICKSON'S LIBERTIE.

Whill Mr David Dickson remained at Turreff, in the North, my Lord Eglintoun and the toun of Irwine laboured for his libertie. At last they obtained of the Hie Commission libertie to him to come to Glasco, either to satisfie the bishop within three moneths, or els to returne to his waird. The Moderator of the Presbyterie of Irwine, and the Provest of the toun of Irwine, by conference with some of the bishops that were at the making of the acts, collected this to be their meaning; that if Mr David wold cleere himself of declinning the king's authoritie, and the injurie done to him, the bishops wold not quarrell him for their part, nor trouble him for the ceremonies, but suffer him to goe to his flocke. Mr David leaved his familie in Turreff, least the bishop sould take advantage of

the incommoditie of the winter, and fasherie to returne backe to his waird, and strait him with some hard conditions. When he came to Glasco, my Lord Eglintoun tooke him up to the bishop's, to whom he rehearsed the motives of his coming, and the promises made to him by his freinds in the bishop's name. The bishop said he wold deale noe more with him but in writt, becaus he had the rest of the bishops to satisfie. But the true caus was, that if he gatt anie vantage, he might have it extant in writt. Mr David draweth up an apologie of his declinatour, which the ministers of Glasco presented in his name, upon the 10th of Januar, the same day of the moneth that the declinatour itself was given in before the Hie Commission in Edinburgh. Howbeit it was conceaved in gentle termes, at the desire of Mr David's owne freinds, who condemned him of rigiditie, yit was Glasco out of patience when he redd it, and said, He looked for the confession of a fault, and for an apologie; and sent backe a froward answeir with the presenters. Wherupon Mr David caused draw up a number of coppies, and the report to come to the bishop's eares, that the countrie sould know that he came, and gave satisfaction touching the king's part, and had submitted himself als farre as anie of his minde could be required to doe. Mr David was tempted night and day for twentie dayes together, by Mr Cameron, by brethren of his owne minde, by noblemen and gentlemen that favoured him, to take up the declinatour till they were wearied, and the bishop out of hope to prevaile. When Mr David saw noe appearance of his releefe, he went backe againe to his confine, and remained there till the prince went to Spaine. Then the bishops, and others who were forward to advance the king's course, were ashamed of themselfs. My Lord Eglintoun and the toun of Irwine continued still soliciting the bishop, till at last, without Mr David's knowledge, the bishop was moved by way of a missive letter to my Lord of Eglintoun, to give my lord leave to send for him, and promised that he sould stay till the king challenged him once, but noe longer. The letter was sent to Mr David about the end of Julie.

THE ENGLISH SERVICE IN THE NEW COLLEDGE.

Upon the 15th of Januar, Mr Robert Howie, Principall of the New Colledge of St Androes, Doctor Wedderburne, and Doctour Melvine, were directed by a letter from Doctour Young in the king's name, to use the Englishe Liturgie morning and evening in the New Colledge, where all the students were present at morning and evening prayers; which was presentlie putt in execution.

MR R. BOYDE DISPLACED.

Upon the last of Januar, the Provest, Baillies, and Counsel of Edinburgh, were rebuked by a letter sent from the king, for Mr Robert Boyde. They were commandit of new again to urge him with conformitie, and if he refused, to remove him, his wife, and familie, out of the toun. The king's words answeiring to their letter of recommendation were these following:—

"On the contrarie, we thinke his hyding there will doe much evill; and, therefore, as ye will answeir to us in your obedience, we command you to putt him not onlie from his office, but out of your toun, at the sight heirof, unlesse he conforme totallie. And when ye have done, thinke not this sufficient to satisfie our wrathe, for disobedience to our former letter." Mr Robert was sent for to the counsel. The king's will was intimate to him, which the counsel said they wold not withstand. Mr Robert quitte his place, and tooke his leave. He was chosen Principall, the 19th of October before. The ministers of Edinburgh invyed him for his not-conformitie, and the applause he had both of the people and of the learneder sort, for his gifts both for the pulpit and for the schooles. When the Bishop of St Androes, at a conference with the ministers of Edinburgh, was commending them for the harmonie that was among them, Mr Andro Ramsay answeired, "But there is one string out of tune," meaning of Mr Robert Boyde. He invyed

him, becaus sundrie noblemen, lawers, and countrie ministers, who came upon occasion to the toun, resorted frequentlie to Mr Robert's lessons in the schooles, and sermouns in the kirk, and not to his lessones and sermones, howbeit both taught in one colledge, and in one kirk.

CONFERENCE ABOUT RESTRAINT OF WOOLL.

Soone efter, the Lords of Secrete Counsel were rebuked by a letter from the king, for desiring him in name of the estats to urge noe more the restraint of the wooll, seing it was so farre against the libertie of the realme. He thought them too presumpteous in their requeist; and that if he had beene in Constantinople, they might have sent commissioners to him, let be to London, to treate upon that mater before himself. Wherupon the Lords of Secrete Counsel nominated three out of everie estate, to conferre upon that mater before the king, either suche as were at court alreadie with the king, or as wold not offend.

THE PRINCE GOES TO SPAINE.

Upon the 19th of Februar, the prince embarked at Dover, and went through France to Spaine, accompanied onlie with the Duke of Buckinghame, his secretare, Mr Cottingtoun, Mr Porter, and other two or three. The king injoyned the ministers of Edinburgh to pray for him, and for his safe returne. They obeyed, but spake never a word of matching with idolaters, and speciallie with the King of Spaine, the Pope's cheefe suppost. The whole ile of Britaine, speciallie the professours of true religion, were astonished, and feared alteration both in the state of the kirk and the commonweale. The formalists themselfs were ashamed of the lavishe commendations they had given in former times of the king's sinceritie and constancie in religion, and care to defend the same by word, by writt, and by deed. About the midst of Aprile, we heard that he come safe to Madrede, the third of Marche, and was honourablie received by the king and his nobilitie.

A MEETING OF THE BISHOPS AT ST ANDROES.

Upon the 22d of Aprile, there was a meeting at St Androes, where the Bishops of St Androes, Brechine, Aberdeene, Murrey, Rosse, and Dumblane, and some ministers written for, conveened. Yit none of the ministers of Edinburgh came, becaus (as some of themselfs reported) the end of that meeting was, to see how farre we might goe with the Papists, and what is questionable betwixt us and them. For it was affirmed by some, that there were but two or thrie points substantiall wherin we differed, and that we might agrie with them in ceremonialls for peace sake; yit noe such mater was treatted in publict. They appointed a fast to be keeped universallie the last Sabboth of June, and the first Sabboth of Julie. Complaints were given in upon some Papists in the North, who wold not have their children baptized by ministers, and for sundrie other abuses. The bishops promised to wryte up to the king, to sie what sould be done with them; and that was all the redresse was made. What farther they did at that meeting, I am not certaine, becaus the reports are diverse. It was reported, that it was agreed that noe minister sould be urged heerafter with obedience to the Five Articles; and on the other side, that it was not expedient to be rigorous with Papists, during the time the prince was in Spaine.

MR FORBESE HIS UNTYMOUS INVECTIVES.

Upon Tuysday, the 29th of Aprile, Mr William Forbese, one of the ministers of Edinburgh, preaching upon Philip. ii., inveyghed against these that wold not communicate with their ministers that kneeled. He said, they refused their owne salvation, served the Antichrist, and sould never gett Christ: that they were ignorants, and had ignorant teachers, whom they receaved in their houses, and did wryte and instruct them, that none were so bold and so peart as these who least could defend what they did affirme; that

none could instruct the auditorie so well as he and his brethren; that kneeling at the receaving of the sacramentall elements hath ever beene received since the dayes of the Primitive Kirk; that all that teached the contrarie wold be scourged out of all schooles of learning, for ignorance and want of learning. And yit, this bragadoceo sett never penne to paper for defence of the controverted ceremonies. It is knowen weill enough, he has beene soone putt to silence at disputing. He had nothing at this present time but bitter railing, and naked assertions without proofes. When others were silent and ashamed of their conformitie, becaus of the great appearance of the matche with Spaine, and the badd effects likelie to follow, yit he, more popishlie disposed, if not altogether, than the rest of his collegs, wold not let conformitie rest, or the ceremonies vanishe away, so farre as in him lyeth.

A DUNKIRKER PERSUED.

A Dunkirker, persued by two waughters, arrived at Leith, the 22d of May, but within sixe or sevin dayes the wind blowing westerlie, both the Dunkirker and the waughters hoised up their sailes, and went to the seas. Upon the 6th of June, the Dunkirker, earelie in the morning, cometh up the Firth again, and three waughters efter her, to witt, the Admirall of Zeland, and other two. The waughters demandit of the Dunkirker their prisoners; this being refused, they persued the Dunkirker, and had utterlie undone it, if the water had served, or if the gunner in the admirall's ship had not played the knave; for the admirall's ordinance misgave at the first onsett. Sevin or eight were slaine in the Dunkirker, and three or foure on the other side. The Magistrates of Edinburgh went doun with the citizens at the counsel's command, to inhibite them to fight anie more in the king's waters, which was obeyed. The principals of both sides compeired before the counsel. The admirall made excuse for fighting within the king's waters, and craved restitution of the prisoners. The lords answeired, they wold informe the king what had past, and accord-

ing to his pleasure they sould have reason. The Dunkirker, for greatter securitie, came within the harberie of Leith, and the waughters waited on this moneth, and the moneth of June following, upon occasion to fight. In the meane time, they apprehendit a Scotts boate careing out of the harberie some of the Dunkirker's men, with some of her provision, which was thought to be of great importance. Upon the thrid of Januar last bypast, there was a charge given from the Lords of Secrete Counsel to the captaines of the waughters, which had lyen an halfe yeir and more in the harberie of Leith waiting upon the Dunkirker, to deliver their sailes, that the Dunkirker might have the libertie of two tides to pass furth, becaus it came first in; and that within twentie-foure houres, under the paine of treason. The captaines seemed to accept weill of the charge, and answeired, they wold advise upon an answeir. But two houres before the expyring of the tyme, that is, betwixt twelf and one efternoone, upon the 4th of Januar, they hoised up their sailes, went out of the harberie to the raide, and there stayed.

A DUNKIRKER BURNT.

Upon the Lord's day, the 4th of May, the Dunkirker made herself readie in the morning earlie, it being full sea and full moone, to goe out of the harberie. They hired a pilote, a man of Leith, named Lawsone, to direct them the best way betuixt the land and the Inch, that they might be free of the waughters. But the captaine was so farre from following the advise of the pilote, that he putt a cord about his necke, and wirried him. The ship runneth aground presentlie upon the Musslescape, within two pair of butt lengths to the bulwarke. The waughters came as neere as they could by sixe in the morning, discharged their cannons, and played upon her. The Dunkirker was stopped quite through.

They assault againe efternoone, when the sea filled. The chancelour, president, and other lords that were in Edinburgh for the time, sent some cannons out of the castle, and caused the inhabit-

ants of Edinburgh to be wairned with the beatting of the drumme, to attend upon them. This was done betuixt nyne and tenne at night. In the meane time, the Vice-admirall came to the Dunkirker, and finding all the men fledd, cutted the cords and sailes, tooke doun the King of Spaine his colours, and sett up the Prince of Orange his colours; then retired backe, minding at full sea to come and take her away. But the lords preveened them, caused man her, and take doun the Prince of Orange his colours, and sett up the King of Britaine's. Upon Monday, the 5th of May, the citizens of Edinburgh were again charged as before to attend upon the king's service, and upon the cannon. Some few went doun with their swords, and their clocks about them. The president, chyding the provest and baillies, said, "I always said to his Majestie, that Edinburgh was but a nest of tratours. I sall write to his Majestie of this your rebellion." It was answeired, "Your lordship may write what you will, but we sall be found loyall subjects. Edinburgh is not bound to serve in such a service without their burrow-rudes." The cannons were planted neer St Nicholas chappell. The captaines of the waughters sent to the lords, to assure them, that if they went home without the ship, which was their lawfull prise, they wold be hanged: they wold rather die there with credite. The lords refused to give the ship; caused take out all her gunnes and artillerie, emptie her of water, mend all her stoppes, that they might bring it the more easilie into the harberie. Thus was the Monday and a part of the Tuysday spent. The lords, viz. the Chancelour, the President, Mortoun, Balcleughe, Lothian, the Clerk of Register, and Merchistoun, Treasurer-Depute, went not to bedd for two nights: upon occasion, they went to checke the watche, but found none. Wherupon the president enraged, sent up at midnight in all haste to his lodging in Edinburgh, for twentie-foure muskets, twentie-foure pickes, twentie-foure corslets, and caused arme his owne attendants with them; and caused a proclamation be madé betuixt one and two in the night, charging all the inhabitants of Edinburgh to come doun to Leith in their armes, under paine of death. But the provest and

baillies went not doun till two efternoone, and some few efter them, with their swords and clocks about them. But Mr Thomas Hamiltoun, Secretar, and President of the Session, was so enraged, that princelike, he bade them goe out of sight, and wold not speake to them. About foure efternoone, when it was full sea, all the skippers of Leith were sett on worke to bring in the Dunkirker shipp, called St Ambrose. It was a sport to sie the lords and their gentlemen hailing St Ambrose with a rope in to the harberie. But they laboured in vaine, and out of time, for the water began to fall. The Hollanders sent to the lords, and craved their testimoniall under the Great Seale, that they had used their diligence for the overthrow of that ship, but were impeded by their forces. The lords delayed their answeir till the morne, minding at the nixt tide to have St Ambrose within the harberie; committed the charge of her to the skippers of Leith, who took in hand to man her with musketters, and bring her in at the nixt tide; and efter, went up to the toun, becaus they had not sleeped two nights before. But upon Wednesday, betweene two and three in the morning, the Hollanders shott their boates, came to the Dunkirker, requeisted all the men that were within, as they loved their lives, to goe furth, for they wold sett her on fire, which they obeyed. Then they tooke doun the king's colours, and efter they had kissed them, and delivered them, they sett her on fire in foure sundrie parts. The president was advertised, but before he came halfe way to Leith, the ship was past all recoverie. So he returned, and the counsel conveened presentlie, and directed their informations to the king. The Hollanders stayed till Fryday, and then hoised up their sailes.

A COMMISSION TO HEARE GREIVANCES.

Upon Monday, the 19th of May, there was a proclamation at the Crosse of Edinburgh with sound of trumpet. The summe of it was this:—

"Forasmuche as there is noe earthlie thing so deare unto us as

the weill and good of our subjects; and understanding that in our kingdomes of England and Ireland, our subjects have suffered wrong under pretence of the lawes: We, out of our incomparable wisdome, for preveening the like evill in our native and ancient kingdome of Scotland, have ordained a number of our right trustie cousines and counselours to sitt everie week twise, for hearing all the greevances of our subjects: Sir George Hay of Kinfanes, Knight, Chancelour, Johne Archbishop of St Androes, James Archbishop of Glasco, Johne Earle of Marre, William Earle of Mortoun, Robert Earle of Niddisdaill, Robert Earle of Roxburgh, Thomas Earle of Melrose, Johne Vicount of Lauderdaill, David Vicount of Stormount, Sir Johne Naper, Treasurer-depute, Sir William Olyphant, Advocate, Sir Johne Hammiltoun, Clerk of Registre, and Keeper of the Rolls."

This commission tooke noe effect, yit it served to feede the conceate of the people, discontented for the present at the appearand matche of Spaine, and consequences therof.

THE KING'S PICTURE FALLETH AND BREAKETH.

Upon Fryday, the 20th of June, the king's picture in the hall of the Palace of Linlithgow fell doun upon a Germane's picture, and brake in peeces. The like befell the King of France his picture in that same place, sixe weekes before his death.

ARTICLES PROPOUNED BY THE SPANISHE AMBASSADOUR TO THE KING.

About the 25th of June we were informed here, that there came an ambassadour from Spaine to England, with a great traine; that he had commission to crave these articles following to be granted, before the mariage of the prince: First, that libertie of conscience sould be granted throughout all the king's dominions, and free exercise of the Roman religion to the Catholicks. Nixt, that the king sould declare himself enemie to all the King of Spaine's

enemies. Thridlie, that the prince be crowned King of England. Fourthlie, that the king sould recall all his subjects out of the Netherlands, and leave them for the King of Spaine his use. Fyftlie, that the king wold renunce the title, "Defender of the Faith." Upon the 27th of Julie, we were informed that the king, with advise of the counsel, four persons onlie excepted, had subscribed those articles upon the 20th of Julie, and had sworne solemnlie to observe them, in Whythall Chappell before the altar, in presence of sundrie bishops. But these newes proved efter uncertaine, because the mariage came not to pass. Yea, it is reported, that the prince gott but a verie slender sight of that ladie.

A FAST.

The famine increassed daylie, till at last manie both in burgh and land died of hunger. Manie poore came to Edinburgh for succour, of which number some died in the streets. The fast was observed in Edinburgh the last Sabboth of June, and first of Julie. The causes of the humiliation were, the present famine, the feare of idolatrie to creepe in againe, the danger the prince was in both for bodie and soule. But the maine sinne, to witt, the erecting of the state of bishops, the beginning of defection, and ground of farther defection like to follow, was not touched. The sermons began everie day in the weeke at sevin houres, and endit at nyne, becaus the Lords wold not (as they alledged) prejudge the king's leiges, for anie reason they heard the ministers of Edinburgh alledge. Immediatlie efter the fast was endit, that same night, the 7th of Julie, there was such a fire in the heaven, with thunder and fire-flaught, that the hearers and beholders thought verilie that the day of judgement was come.

THE KING'S SHIPS SENT TO RESCUE THE DUNKIRKER.

Upon Monday, the 7th of Julie, two of the king's ships arrived at Leith, received the ordinance which was taken out of the Dun-

kirker, loosed out of the raid the 13th of Julie, and arrived the nixt day at Aberdeene. Efter they had shewen their commission to the captaines of the two waughters, who were lying at Aberdeene, they yeeldit, and suffered the Dunkirker to faire with them without molestation. They came altogether to Leith upon the 21st of Julie, and stayed till the Dunkirker had taken in the ordinance, which was taken out of the other Dunkirker which was burnt. Upon the 26th of Julie, the two Englishe ships, the Dunkirker, and the waughters, weighed anchors, and hoised up their sailes. When they were lying at anchor in Downes raid, the Dunkirker weighed anchor in the night. The Hollanders followed, but were not able to overtake her, yit shott some ordinance, whereby two of the waughters which were lying at Dunkirk being wairned, loosed, encountered with the Dunkirker, slew the captaine and other sixteene persons. The captaine of the English Admirall, named Beast, hearing the shotts, came and rescued the Dunkirker, and brought her backe to Downes road. The waughters followed; all anchored in the rode that night. About breake of day, they hoised up the sailes of the king's ship. When the ship was under saile before, the Admirall of the Hollanders not looking for anie harme, Captaine Beast shott off all the ordinance he had on the one side, and slew to the number of three or foure score persons. The waughters went to Flusheine, and there layde out all their dead men on the streete, naked, saying, There was the intertainement they had received, for the great respect they caried to the King of Britaine's ships. But Captaine Beast was well received at court, and commended for his beastlie service.

THE BISHOP OF CANTERBURIE HIS SPEECHE TO THE KING, EFTER THE PRINCE HIS DEPARTURE.

"May it please your Majestie,—I have beene too long silent, and am affrayed that by silence I have neglected the duetie of that place wherunto it hath pleased God to call me, and your Majestie to place me in. But now I humblie crave leave that I may

discharge my conscience toward God, and my duetie toward your Majestie. And, therefore, I beseeke you, Sir, give me leave freelie to deliver myself, and then let your Majestie doe with me as you please.

"Your Majestie has proponed a toleration of religion. I beseeke you, Sir, take in your consideration what your act is, and what may be the event of it. You labour to settle that most damnable and hereticall doctrine of the Romishe Church, and Whoore of Babylone. How hatefull will it be to God, and greevous to your subjects, the true professours of the Gospell, that your Majestie, who hath so often disputed and learnedlie written against these wicked heresies, sould now shew yourself to be a patrone of these doctrines, which your pen hath told to the world, and your owne conscience told to yourself, to be superstitious idolatrie and detestable. Adde heirunto what you have done, by sending the prince to Spain, without consent and privitie of your counsel, and approbation of your people. And, Sir, although you have a large interest in the prince, as the sone of your fleshe, yit hath the people a greatter, as the sone of your kingdome, upon whom, nixt after your Majestie, are their eyes fixed, and weilfare depends; and so tenderlie his going apprehendit, that, beleeve me, Sir, howsoever his returne may be faire, yit the drawers of him into that action so dangerous to himself, and so desperate to the kingdome, will not pass away unquestioned and unpunished. Besides this, the tolefation which you endevoure to settle by proclamation, it cannot be done without a parliament, unless your Majestie will let your subjects sie that you will take unto yourself a libertie to throw doun the lawes of the land at your pleasure. What dreadfull consequence these things may draw after, I beseeche your Majestie consider; and above all, least by these tolerations, and discountenance of the true professours of the Gospell wherwith God hath blessed us, and under which this kingdome hath manie yeirs floorished, your Majestie doe not draw upon yourself in particular, and on the whole kingdome in generall, God's heavie wrath and indignation.

"Thus, in discharge of my duetie towards God and your Majestie, and the place of my calling, I have humblie taken boldness to deliver my conscience. And now, Sir, doe with me what you please."

THE PRINCE RETURNETH FROM SPAINE.

Upon the 13th of October, the president received a letter from Sir Thomas Areskine, wherin he was informed, that Johne Murrey, Vicount of Annan, had written to him, that the prince was come to his house at Gilford, and was to meete the king at Roystoun, the Lord's day, the 5th of October. The president shewed the letter to the ministers of Edinburgh, wherupon they conveened, and appointed Mr Johne Guthrie, some time their colleg, latelie consecrated Bishop of Murrey, to preache in the Great Kirk efternoone, that the people might conveene, and give thankes to God. Efter sermon, there was shooting of ordinance, ringing of bells, setting on of bonfires, with the greatter contentment, that the prince was not maried upon the daughter of Spaine.

The session and counsell, old and new, of Edinburgh, with a number of inhabitants, conveened upon the 18th of November. When Mr Thomas Sydserf, moderator of the meeting, had declared what was the end of their conveening, to witt, to provide ministers for the vacant places, James Cathkine, merchant and stationer, alledgit, that Mr Andro Cant sould fill one of the places, becaus he was orderlie and formallie chosen by common consent of the old and new session, and the rest of the citizens who were present in a great number; and that it was said by some of the ministers themselfs, that when they were bringing in the last minister, [they] wold make a way for bringing in of Mr Andro Cant. "But as yit," said he, "we could never heare that he was sent for, or anie travell taken for him." Mr Thomas answeired, Travell was taken, but they could not come speede. The provest, Alexander Clerk, Master of the Hospitall, said, "I know there has beene als meikle labour made to gett him to be minister of Edinburgh as men could

make, but [it] prevailed not." Then James asked, Wherin lay the fault that he come not? Mr Thomas answeired, The fault was not in them; the higher powers must be obeyed. Then said James, "There is noe friedome or libertie in leiting or choosing of ministers, therefore, we will protest for libertie and freedome; and that there be nothing done at this meeting which may prejudge the lawfull calling of Mr Andro Cant to the ministrie of Edinburgh, and disassent from your proceedings." Therupon he desired an instrument of the clerk, Mr Johne Hay, and held up his hand with the money. Mr Johne Hay said, he wold give noe instrument, unless he were commandit. Then said James, there were notares anow present; therefore, seing the clerk refused, he wold take instruments in the hand of some of them that were standing by; and so he did, in the hand of James Murrey * * * Mr Thomas said, that was a forme they used not. James Cathkine stayed till Lawrence Henrison, Johne Dickson, Johne Hammiltoun, and Johne Meine, had uttered their minds likewise, shewing that they disassented from their proceedings; and so went out altogether. The tenor of the protestation heir followeth:—

"*Apud Edinburgh, 18th Novembris* 1623.

"The which day, in the meeting of the counsel, old and new session of the kirk, old and new of the burgh of Edinburgh, holden in the New Kirk of the said burgh, for leiting of three ministers to have beene heard, and therafter one of them to have beene chosen, as the forme is, to supplie the vacant place of Mr Johne Guthrie in the ministrie of the kirk of the said burgh: Unto the which meeting, the whole honest neighbours, inhabitants of the said burgh, were wairned publictlie, upon the Sabboth immediatlie preceiding, by the ministers, out of the pulpits of the whole four kirks of the said burgh, to resort to the said New Kirk at the bellringing, and there to give their information, voices, and consents, to the nomination and leiting of the said three ministers. And efter the action was recommendit to God by Mr Thomas Sydserfe, moderator of the said meeting, he intimate the caus of their

meeting to so manie of the congregation as were there conveened; and amongst manie other circumstances, he desired that noe man sould be there proponed to them to be put upon the leit, but such as they could gett, viz., conforme ministers; and therafter urgit the reading of the rolls of the counsels and sessions. Before the reading wherof, James Cathkine, one of the present Masters of the Hospitall of the said burgh, desired of the said moderator to be heard to utter his mind anent that meeting; and having obtained libertie to that effect, he said, 'Moderator, seing ye have declared the end of your meiting is, to have a vacant place in your ministrie onlie to be filled at this time, there is noe necessitie for a leit to that effect, becaus Mr Andro Cant was verie orderlie and formallie called and chosen to be a minister of Edinburgh, by commoun consent both of kirk, session, and counsel, old and new, with the full and whole consent of all the congregation there present, which were a verie great number; and therefore he ought now to fill the said vacant place. As also, at the bringing in of Mr William Forbese to this ministrie, when opposition was made therunto by sundrie weill disposed Christians in this burgh, it was declared at that meeting by some of yourselfs of the ministrie, that the inbringing of Mr William Forbese wold be a way for the bringing in of Mr Andro Cant. But since that time, we could never heare that he was sent for, or anie labour made for the bringing of him hither.' The moderator answeired, That there was labour made for bringing of him hither, but they could come noe speede; for we wold als faine have had him as ye wold, but we could not gett him. The provest, Alexander Clerk, being likewise present, affirmed the same, and said, 'Master of the Hospitall, I know there has beene als meikle labour made for getting of Mr Andro Cant to be minister of Edinburgh as men could make, but could not prevaile.' Then asked the said Master of the Hospitall, Wherin was the fault that he came not? The moderator answeired, That the fault was not in them, but that the higher powers must be obeyed. Then said the said Master of the Hospitall, Seing there is noe libertie or freidome in leiting or choosing

of ministers for the present time, he for himself, and in name of the honest men undernamed, protested against anie thing that sould be done in this present meeting, that might prejudge the lawfull calling of Mr Andro Cant to the ministrie of Edinburgh. And therupon he desired an instrument, under the note of Mr Johne Hay, the commoun clerk of Edinburgh, there present, and did offer to him ane testaire for taking of the samine; which the said Mr Johne Hay refused to accept, or to give the said instrument, except he were commandit by that place, which command was likewise denyed by the said moderator. In respect wherof, and all and sundrie the premisses, the said Master of the Hospitall, for himself, and in behalf of the persons following, viz.,
who adhered to the said protestation, asked instruments at the hands of me, notare-publict undersubscrivand, in presence of the witnesses likewise undersubscrivand."

PATRIK SCOTT HIS SHIFTS AT COURT.

Patrik Scott, a landit gentleman beside Falkland, having wasted the moyen that he had, had noe other meanes to recover his estate but by some unlawfull shift at court. He sett furth a recantation, under the name of a banished minister, Mr David Calderwode. But soon efter come forth a Latine work, intituled, "*Altare Damascenum*," which testified to the world, that he was farre from mynding anie recantation, and that he was yit living; for the recantation was sett furth upon a report that he was dead. The trueth is, he was deidlie sick, and if he had died, the recantation had gone for current as his. But the devise turned to the shame of the devisers. He confessed himself that the king furnished him mater, and he sett it doun in forme. This course failing, he went over to Holland; sought the said Mr David at the Hague, at Delft, at Amsterdame, and other tounes, in the moneth of November, pretending to such as he thought favoured the said Mr David, that he had a thousand punds to deliver to him, which was collected among weill affected people at home; and offered money to some

to reveale where the said Mr David was. Noe doubt, the man was employed to seeke his life, and to murther him privatlie, which was easie for him to doe, if he had beene there under cloud of night, when the said Mr David was to come from the Scottish inne to his owne chamber; either by shootting him in the water, or otherwise, not fearing evill of the man he had never seene before. Efter he had stayed at Amsterdame twentie dayes, and inquired diligentlie, he was informed that the said Mr David was at home in his owne native countrie of Scotland; and so he returned to court disappointed. His dependance for the most part was upon the Vicount of Annan, a man unknowne likewise to the said Mr David. By whom he was houndit out, I leave that to the reader to judge. But that ye may know the conditions of the man, I will heir sett doun one of his notable tricks. There was an English man purchassed a peece land in England, and tooke a day for payment of a part of the money. When the day came he had not the money in readiness; his partie straited him with extremitie of the law. He went up to Londoun, and walking in Paul's Church sad and pensive, made his mone to a Scottish man walking there; offered to him, if he could procure the king's protection, a reward for his paines. The Scottish man answered, he had noe moyen or credite at court. "But," said he, "I see here one walking hard by; his name is Mr Scott, he can doe your turne." Efter the English man had delated the mater to him, Patrik Scott said, "That will cost great charges, but I will gett it done for you." The English man asked what he wold have? Patrik Scott craved fiftie punds sterline. The English man said, That was too much, for three hundreth punds will doe all my turne. "But I will give you," said he, "all that I have; that is, threttie punds sterline, and my horse, that is worth five punds sterline." Patrik Scott taks the mater in hand, and appoints him a short day. The English man keeped preciselie, and delivered to Patrik Scott the threttie punds sterline and his horse. Patrik Scott giveth him a packald as it were of letters sealed, which must be delivered to the persons to whom they are directed, "who will doe your turne." But when

the first letter was delivered, there was nothing written in it; the rest likewise were all blanke. The honest man, disappointed of the protection he was seeking, was apprehendit and cast in prison. Efter the death of King James he sett out a pamphlet full of lyes, intituled, *Vox Vera*, but als true as Lucian's *Vera Historia*. For all his godless and unlawfull shifts, he dyed soone efter so poore, that he had not wherewith to beare the charges of his buriall; but it behoved the Bishop of Rosse to beare the charges of it, for the good service he had done to the king and the bishops.

A STRANGE METEORE.

Upon the Lord's day, the last of November, about nyne houres at night, there appeared like a rainbow in the west, the moone shyning cleerlie in the east, with some raine in the meane time, wherat manie wondered.

THE KING'S LETTER TO THE KING OF BOHEMIA.

"Sir, my most deare sone.—We have beene carefull, and are at this present, to performe the promise which we made unto you, to imploy all our power to re-establishe you in your estates and dignities. And having, by the patience and industrie which we have used, reduced maters within a more narrow circle, and of a lesser extent, than the generall in the which they were treatted heirtofor; having thought meete to give you knowledge of such things wherof hope is given to us, that we sould in all appearance obtaine them, to the end you might have a recourse to your wisdome; and efter a mature deliberation, may make a choice agreeable to your providence, honour, and safetie of your estate, duelie weyghing and examining all circumstances. And, therefore, we represent unto you these propositions: And, first, your submission to the emperour under convenient limitation, which first sall be granted and agreed, in conformitie to that which is honourable, with a safe-conduct, and assurance requisite and sufficient for the frie and safe going and

returne of your person and traine. This being done, will make you offer of a and full restitution of the Palatinate to the person of your sone, and that you sall be his administrator during your life; and that efter the death of the Duke of Bavaria, your sone sall be established in the electorall dignitie. And for the better confirming of the said amitie, and assuring of your present possession, and injoying of all, to the contract with us presentlie to be made, and also to serve for a preparative for the bettering of the said conditions to your person, which in all likwise will be when the mariage sall be resolved and concludit, that a mariage be made betwixt your eldest sone, our grandchild, and one of the emperour's daughters. In contemplation wherof, they have approached and decried neerer, to witt, that the electorall dignitie sall come again to your person efter the Duke of Bavaria's death. In which treattie of mariage, to cleere the principall difficultie, which consisteth in the education of your sone with the emperor, we have taken from them all hope heirin, wherwith we assure ourselfs ye will be content; and have proposed, that he sall have his education in our court with our sone, and with and in the presence of the Infanta. We have exactlie shewed you the estate of this negotiation, which cheefelie conterns you and yours, to the end ye may cast your eyes upon the necessities and bare conditions and maner of living which dependeth upon the courtesie and assistance of others; and that you may judge advisedlie, whether your readie entrance to the possession of your owne, and to a kinde of present libertie of living, with assurance in time to recover the possession of all, sall not be more convenient for you, than a hazardous long expectation upon other uncertain meanes. The latter wherof if you preferre, for anie consideration whatever before the other, we pray you to consider, by what probable and forcible meanes we may undertake to reduce your condition to that estate that you wishe and promise yourself; wherin we doubt not but you will weigh our forces, and cheefe of our allyes, and suche wherof we may hope and be assured of, to the end, that if it sall happen that we cannot attaine to the intei of that which we desire, by

way of treattie, and that we sould take another course, you may be partaker als weill of our counsel, as of the issues and uncertaine events. And forasmuche as we are desirous, first, to consider with you, your person and estate, as we are also obliged to have regard to the right of our onlie daughter, and inheritance of your children, with the hope of their prosperitie, by what way it may be more easilie established, and by what meanes provision may best be made to that effect. And heirin we remaine, Sir, my most deare sone,

"Your most affectionate father,

"JA. REX.

"From Whythall."

THE KING OF BOHEMIA'S ANSWEIR.

"SIR,—I take as a great honour and favour your Majestie's letter delivered to me by the hands of your ambassadour, Carletoun. He hath further expressed your Majestie's intention touching that which concerneth my restitution unto my honour and patrimoniall estate; that you continue firme and constant in conformitie to your promises, to labour and effect by one way or other, so that the restitution be intire and totall, als weill in that which concerneth the electorall dignitie as the Palatinat. And that the proposition which your Majestie makes by your letter, to content myself to be administrator to my sone, and he with the * * * * of the dignitie and the present possessions of the Palatinate, is but in all events.

"If so be your Majestie could not obtaine the totall restitution, the desired effect of your intentions leaving me, nevertheless, to choose the lesser of the two evills, (if I may be permitted to terme them so;) the one, of the totall restitution of my estate, but with diminution, or rather annihilation, for so in effect it will be, in respect of my person, of the electorall dignitie; the other, of the recoverie of both by warre, the events wherof are uncertane. First, I most humblie thank your Majestie, for the paternall care which you continue and shew in this occasion, and which doth more con-

fort me and my deare wife in our afflictions, than the feare of humane events can grieve us, or incline us to be willing to recover the losse of our goods, with the losse of our honour. I will, therefore, use the libertie which your Majestie is pleased to give me, in answeiring everie particular point of your letter. In the first wherof, I observe the proceidings of my enemies, who require a personall submission (intendit to precede all other things) in the safe-conduct of the emperour; wheras by naturall order used in like occasions, the restitution, which is materiall and substantiall, ought with reason to precede the other, being but a point of ceremonie: at the least, it is necessarie that all things be resolved and concludit under such assurance as sall be held convenient; and then, if the intention on the emperour's part be reall and sincere, and without anie to take advantage upon my person, (as the Emperour Charles V. did upon the Landgrave Hessen, under the subtilitie of the distinction of a syllabe in his safe-conduct, *eveicht* for *evoeicht*,) the said submission may als weill be made by a deputie as otherwise. Wherby I sall be fried from the apprehensions which the bloodie execution of Prague, and other cruelties exercised by the Imperialists, may justlie impresse in the minde of him who is willing to loose himself by a *gayetie de coer*. Besides, a simple consent to such a submission, under the specified condition to yeeld the electorate to the Duke of Bavaria, will be sufficient to prejudice my caus for ever. For the two Electors of Saxon and Brandenburg, who have alwayes protested against the translation of the electorate, and the other princes of Germanie who have the like feeling, will disavow their protestations in regard of him who sall abandon his owne * * * and instead of favouring me, (upon some breache, treattie, or otherwise,) may be my oposites. Moreover, the experience of things past teacheth us, what issue we may heirafter expect of the like conditions consented to on our part, the emperour having manifestlie abused us in two things alreadie: First, in the instrument which he signed for the conditionall resignation of the crowne of Bohemia in the yeere 1621; then, in my ratification of the suspension of armes this last

sommer. The first having served the emperour to celebrate his treattie then on foote with Bethlem Gabor; the second, to intimidate the Electors of Saxon and Brandenburgh, and other princes of the Lower Saxonie, that they might not undertake anie thing against the emperour: both the one and the other being divulgated to the same effect, according to the knowledge which the emperour had of these designes, before anie thing was therin resolved or concludit. And so will the emperour in all appearance make his profite of this present proposition, and strike with one stroke two blowes, by hindering the progresse of Gabor on the one side, and by continuing [on] the other the intimidation of the princes of Germanie, who may with reason now excuse themselfs, if they warre not for him who hath bund himself hand and foote, and consented to a submission which being once yeeldit unto, will be always in the emperour's power to breake, or goe on, as he sall hold it expedient for himself. I darre also promise myself, that your Majestie will have a regard, that by such submission and treattie, my undue proscription and banishment, which being in prejudice of the constitutions of the empire, are therefore held by the Electors of Saxon and Brandenburgh of noe validitie, be not approved, and therefore a marke of infamie sett upon me and my posteritie.

"Touching the second point, your Majestie may be pleased to reveale, that on the part of Spaine, hope hath alliances given me from the beginning, of a totall and intire restitution to my person. Yea, the Erle of Bristoll hath assured me by his letters from Madrid, in November 1622, when the mariage was not so much advanced as at this time, that the King of Spaine, in case of a refusall of a totall restitution, wold joyne his forces with those of your Majestie against the emperour, to constraine him therunto. And yit, in steade of the said restitution, the translation of my electorate with the Duke of Bavaria was since at Ratisbone agreed and congratulated to him from Bruxelles; the Inferiour Palatinate dismembered, by the grant of the Bergstraet, one of the best peeces therof, to the Elector of Mentz, the Superiour with the Balivets,

granted to the Duke of Newbridge, thereby to ingadge them further in the quarrell, by the particulare defence of that which generallie the Imperialists have usurped upon me. They confiscat and seaze upon the goods of my subjects, and of these that follow my partie, sparing neither widowes nor orphanes. It seemes therefore necessarie, above all things, to have sufficient assurance for the totall restitution of my Electorate and Palatinate, before anie new treattie of mariage be proposed, which treaties, as they are ordinarilie handled and managed by the House of Austria, they use to draw to length and delay, with the onlie ayme to the augmentation of their greatness, without respect to civile honestie, word, or promise. I have a doolefull experience in my owne hous, in the person of one of my neere predecessours, Frederick the Second, who contributed more to the first foundation which was layde for the greatness of the House of Austria, than anie other Germane prince; and for recompense, was allured and drawen for the space of manie yeeres with treatties and promises of mariage, without anie intention (as was seen by the effects) ever to bring them to execution. Seing, therefore, that he who had so weill deserved of the House of Austria, which in all externall appearance held him in greatter estimation than anie other Germane prince, was nevertheless unworthilie used by them by a treattie of mariage, he that has beene unduelie putt in the banne of the empire, and spoiled of all my honours and goods, by the eagerness, hatred, and usurpation of the emperour himself, whose daughter is propouned for the mariage in question, know not what to hope, but the same effect of fraude and deceit, which my fornamed predecessour [felt,] with a sorrowfull repentance of the evill when it was past remedie. And the emperour wanteth but two or three yeers leasure, which he sall easilie gaine by a treattie of mariage, to establish in Germanie the translation of my electorall dignitie and patrimoniall estate, without anie hope ever to recover the like opportunitie as at this time, that my pretensions are prejudiced by a long interposition of time, and that the memorie of the undue proceiding of the publication of the banne against my person, and the said translation of the electorall

dignitie, and hazard of my patrimoniall inheritance, are yit fresh in the minds and affections of the princes of Germanie, who are by the consideration of their owne interests moved with the greater compassion to sie the wounds of my miseries yit fresh and bleeding, and with passion and earnest desire to see them remedied.

"And in this place I will say something to the latter point of your Majestie's letter, wherin ye commandit me to consider the meanes probable and facible, wherby my condition may be reduced to the former estate; and to weygh your Majestie's forces with those of your allyes and others, wherof your Majestie may hope to be assured. If your Majestie hopeth for my restitution in Germanie as an effect of the mariage of Spaine, nothing els is to be done but to attend the events with patience. And if you continue to distinguish betwixt the Spanish and the Imperialists, there is no more to be said in this subject. But as they have with joint consent conspired my ruine with the same forces, the same counsel, and the same designes, if your Majestie sall be pleased to unmaske the * * * and hidden malice of the Spanyards, as in the end you found the open and declared violence and hostilitie of the Imperialists who beseiged your Majestie's garrisons in my townes taken into your protection, I will use the libertie your Majestie has given me, to discourse of your Majestie's forces, and these of your allyes; and what may further with good probabilitie be hoped from other freinds and weill-willers. In the last ranke I place what may be hoped from the princes of Germanie, to witt, the two Electors of Saxon and Brandenburgh. In effect, all the others, except these of the Catholick league, have sufficientlie declared their disavowing of the emperour's proceiding against me, and their opinion is, that the peace of Germanie dependeth upon my restitution. Beside the levies they made in the beginning of last sommer, though by one Lockie, a president of the Duke Christian of Brunswicke, they were soone after dismissed, had certanlie noe want of anie thing to be converted to my ayde, but the countenance of some great prince to support them against the power of the House of Austria. The same affection still is remaining among them, and

the same resolution to embrace the first good occasion which sall be presented for the libertie of Germanie. Neither will there want hands for accomplishment of such a worke, when it sall be undertaken openlie and earnestlie, seing the number of those who have their interests conjoyned with mine is great and mightie; for the greatter part of people, both horse and foote, which marched under Catholick bands, were of a contrarie religion to the Catholick, and of affection, (as it is notorious to all the world,) inclined more to the ruine of those leagues than to their preservation. But the conduct of some powerfull prince is necessarie, als weill to the princes as to the men of warre, as we have seen by experience the last yeir. The King of Denmark is he upon whom all have sett their eyes; but he being a prince full of circumspection, and unwilling to enter in the play alone, answereth to all instances which are made to him to that end, that as other princes have their eyes upon him, so he hes upon your Majestie.

"Concerning the forces of your Majestie, it is not for me to judge; but since you have commandit me, I will weighe them by the ballances of commoun judgement. That the felicitie wherwith God hath blessed the persor of your Majestie, having conjoyned the three crownes of Scotland, England, and Irland upon one head, the power of one of the three alone having done heirtofore great maters in the effairs of Europe on this side the sea, yea, when it was counterballanced by the others, gives demonstrations what your Majestie may doe with the joynt forces of the three together, when you sall be pleased to take a resolution therin, cheeflie the question being for the interest of your owne children; and by the voluntary contribution which we have alreadie had in our support from your Majestie's subjects, we may easilie comprehend what may be promised of them, when the publict authoritie of your Majestie sall be conjoyned with their particular affections, there being noe prince in the world more loved and reverenced of his subjects, nor more soveraigne over their affections and meanes, for the suretie of your person and royall house. Touching the allyes, it is to my great greefe that the unhappiness of the time hath separated a great

part of them. The united princes of Germanie, who make profession of the same religion, wherof they acknowledge your Majestie protector and defender, but the same affection remaineth in them intire and firme, though they have been constrained to yeeld to the present necessitie of their effairs; and the occasion presenting itself, your Majestie may make accounht of them. There rests the States of the United Provinces, to whom we have had recourse in our afflictions, who support themselfs by the helpe of God, the situation of the countrie, and forces of the people alone, untill this time, against the puissance of the King of Spaine, secondit by the Imperialists. And instead of fainting under such a burden, and giving eare to the overtures and submissions which from day to day are presented to them, they now putt themselfs to the offensive, by a good fleete prepared, and readie to sett saile toward the West Indies, to the end they may at the least interrupt the peaceable and ancient returne of the gold and silver out of these parts, by the which the House of Austria doth continuallie advance his greatness. The designe is commendit by all good men, and lovers of the publict libertie, as the sole and onlie meanes to cast to the ground the fearefull power of Spaine, even as a great tree of a large extent cutt up by the rootes. But it is held too great for such a litle extent of countrie as this is, and yit practicable, and to be done by forces answeirable to the importance of such an enterprise. And if your Majestie wold be pleased to use the forces and meanes of this estate by sea and land, to the opposition of their enemies, and, by consequence, of myne, their profession of a loyall and sincere affection, with the hazard of life and goods for the service of your Majestie, groundit upon the experience of things past, their present increase, and the judgement which may be made of the future, makes me assured, that your Majestie may absolutelie dispose of them, and by their meanes, (being firmelie conjoyned with your Majestie,) give the law to Europe.

"It is in obedience to your command that I have inlarged myself so farre in this discourse, which I will end, with my most humble thankes for the continuance of your gracious and paternall bountie,

particularlie shewed in the care you have of the education of my eldest sone in your court, who, with all the rest, are at your Majestie's disposing. And we hope to live (notwithstanding our doolful and hard condition) to yeeld into your Majestie the fount of a devote and filiall gratitude; and I will remaine, till the last of my life,

"Sir, your most

"FRIDERICK.

"From the Hague, the 20th of December, 1623.

"*Postscript.*

"I am advertised from good parts, that the Elector of Mentz, and other princes of the Popish league, are verie instant with the Electors of Saxon and Brandenburgh, to persuade them to acknowledge the Duke of Bavaria as Elector of the Impire; which, if they sould attaine, it were easie to judge how much it wold prejudge my effairs, and the commoun cause of the impire. I, therefore, most humblie beseek your Majestie, that ye wold be weill pleased to prevent and hinder such an evill, by the interposition of your good offices, and exhortations to the said two secular electors, be it by some ambassadour, by serious letter, or such other way as you sall hold meete and suitable to the importance of the mater, which, above all, requireth singular celeritie; so your Majestie sall increase more and more my obligation, and that of the publict of Germanie.

"Your sone,

"FRIDERICK.

"From the Hague, the 20th of December, 1623."

As there was a great morraine and death of beasts in the beginning of this yeir, great dearth and famine efter, so in the end, there was great death of persons of all rankes, but speciallie of the poore, which dyed through famine in the feilds and the hie wayes.

M.DC.XXIV.

NOISE OF CANNONS AND DRUMMES HEARD.

About the midst of Januar, four gentlemen of good credite, having gone out of Stirline some two miles or therby, to pass their time, heard sensiblie like the shotts of manie muskets, and efter that, taking better heid, like the beatting upon drummes, and playing upon piffers, and the sound of trumpets; and last of all, the shott of great cannons, so that for feare they went backe again to the toun, and reported what they had heard.

THE DUKE OF LENNOX HIS DEATH.

Upon the 23d of Februar, we were certanlie informed, that upon the 16th of Februar, the first day appointed for the parliament in England, the king making himself readie for ryding, sent to the Duke of Lennox, to bidd him also make readie, and to come to him. The duke finding himself somewhat drowsie, and his head heavie, commandit his chamber-boy to draw the curtaine, and to walken him at the time appointed. When they come to him at the time appointed, they found him dead. His death was dolorous both to English and Scottish. He was weill liked of for his courtesie, meekness, liberalitie to his servants and followers. He opposed so farre as he might to the Spanishe matche. The king could never induce him to medle with the effairs of our kirk. The brute went that he was poysoned.

THE EARLE OF LOTHIAN'S DEATH.

Upon Satterday, the 6th of Marche, Sir Robert Ker, Earle of Lothian, went up earlie in the morning to a chamber in the Place of Newbottle, pretending he was gone to lay accounts and write

missives, and commandit that none come toward him for an houre. He barreth the chamber doore, and cutted his owne throate with a knife, efter he had given himself sundrie wounds with his dagger. Some imputed this desperate course to the great debtts which were lying on his hands, others to consulting with magicians and witches.

TUYSDAY'S MEETING BEFORE THE COMMUNION.

Upon Tuysday, the 23d of Marche, the counsel, session, and citizens of the toun of Edinburgh, conveened, according to an ancient custome, which has been observed as a preparative before the Communion. According to this custome, the ministers removed themselfs willinglie, that if anie man had ought to object against them, they might utter their mindes freelie. The provest, Alexander Clerk, caused the clerk, Mr Johne Hay, to aske if anie man had anie thing to lay to the charge of their pastors, either concerning their doctrine, or their life and conversation; which he did once, twise, thrise. Then Johne Dickson, merchant and flesher, stoode up, and asked license of the provest to speeke, which was granted. Then said John Dickson, "My Lord, my speeche is against one of our pastors, to whom I wishe noe evill, more than to my owne soule. Now, my Lord, there soundeth an uncouth voice in our pulpits, which we never heard before. Mr Forbese affirmes in his doctrine, that we and the Papists may be easilie reconciled in manie points of the heads controverted betwixt us and them. This is contrarie to the doctrine which we have beene taught, and contrarie to that which Mr William Struthers hath affirmed in his sermons, to witt, that there can be noe agreement betwixt us and the Papists, more than betwixt light and darkness, betwixt Christ and Belial, betwixt the Kirk of God and idoles. This, my Lord, wold in time be taken heid to." Jhone Fleamine, merchant, addit, that Mr Forbese said, "We may be reconciled, especiallie, in the head of Justification." David Aikenheid alledgit, that their doctrine fell not under the people's censure,

neither did it appertaine to that place to medle with the mater: if anie man had anie thing to object against their doctrine, let them come to themselfs privatlie, and admonish them. James Cathkin, merchant and stationer, answeired, that the speeches challenged were uttered in publict, and therefore craved a publict information. Mr Johne Hay said, it was not formall proceeding. He was a clerk, and he sould know formalitie or informalitie. Thomas Macallow answeired, that he was a clerk also, and somewhat before him; and that he thought publict uttering of uncouth novelties, such as that was, and in such a place, sould be likewise delated publictlie, and speciallie to that meeting. Mr Johne Hay replyed, that there was great difference betwixt him and the said Thomas, and that he was an hote litle man. Thomas answeired, he knew noe difference, but that he was a meikle man, and he a litle. Mr Johne said, he sould caus the secretar take order with him. Thomas answeired, he beleived the secretar wold not follow his direction. David Aikenheid and Mr Johne Hay still insisted, and said, that place was impertinent. Joseph Millar, apothecarie, rose up and said, "My Lord Provest, this is a mater of great consequence: it sould not be easilie past over, without farther tryall; but that the trueth may be cleired, and these who are offendit satisfied, therefore it were good to have the judgement of the rest of the ministrie, who having taught the contrarie, cannot but be carefull to vindicate the trueth from errour."

This advise was followed. Johne Inglis, merchant, was directed to Mr Forbese, to will him not to take it in evill part to stay a litle, whill he were sent for, and to desire the rest of the ministers to come in. He answeired in great passion, "Goe tell them I will not dainyie to come to them;" and with that runneth to his house. The rest were not a litle displeased that they were so long holden at the doore. When they came in, it was told them what exception was taken at Mr Forbese his doctrine; and that it was of such consequence, that they thought it meete to have their advise and judgment how it sould be handled. The honest men looked for their assistance, but they tooke it for a commoun caus,

touch one, touch all, and answeired, The people had noe power to judge of their doctrine; and albeit they removed willinglie, that was done more for custome, than to subject themselfs to such censures. It was answeired, That it was a thing verie pertinent to God's people to trie the doctrine: they were commandit to trie the spirits; Christ's sheepe sould heare his voice, and not follow the voice of strangers. The men of Berea tryed Paul's doctrine, and conferred it with the Scriptures; the judgement of discretion appertaineth to all Christ's sheepe; as for the judgement of jurisdiction, they claimed it not; they craved onlie their judgement how the mater sould be tryed, and the person, if found guiltie, tryed. But the honest men could obtaine noe good answeir of them.

Then they went to another purpose. James Cathkine having craved audience, said, "David sayeth in the 122d Psalme, 'I rejoyced when they said unto me, Let us goe to the house of the Lord.' Let us have the Communion celebrate efter Christ's institution, that we may likewise goe to the house of the Lord rejoycing." The ministers gave noe answeir. Then he said, "We may turne the words, and say, With sorrowfull hearts may we goe to the house of the Lord." Johne Meine * * * having craved licence of the provest, said, "It was desired this time twelf-moneth, that there might be a way found that the rent might be taken away. I pray you, let us have the Communion efter the old maner, that we may communicate altogether." "See ye that now!" sayeth Mr Andro. Ramsay, laughing. "Sir, are ye laughing," said Johne Meine, "when we out of the greefe of our hearts are powring out our complaints to you? Ye will answeir to God for that." Nothing could be obtained of the ministers but quarrelling at their informalitie, in that they did not first admonish Mr Forbese privatelie. But it was answeired as before; so they went to the blessing. But Johne Meine went out, and wold have noe part of it, becaus they had refused assistance and concurrence to so reasonable desires.

DOCTOR FORBESE HIS MISBEHAVIOUR IN THE KIRK-SESSION.

Upon Thursday, the 25th of Marche, Doctor Forbese, becaus some of the elders and deacons of the kirk refused to attend upon the celebration of the Supper, denunced heavie judgements, and threatned the vengeance of God sould light upon them. To Johne Dickson he said, "Ye want witt, ye sould be catechized; ye are an ignorant, and getts over much libertie to censure the doctrine of your pastors." Johne Dickson willed him to remember of the love wherof he was speeking in his sermon that day. "Love and knowledge must goe together," said Mr Forbese. To James Narne he said, "Ye must be catechized; ye are an ignorant, a recusant, ye sould be punished. Ye are a bairne, howbeit ye have hair on your face, and must be catechized." To Johne Smith he said, "Ye are a bairne; ye sould not speak, but be catechized." To William Rig, bailife, he said, "Ye are a debosht vagerer; ye sould be catechized." The bailife answered, he had beene catechized by verie honest, worthie, and learned men, of whom some were with the Lord, and some were yit alive. Mr Forbese said, he was learneder nor anie of them, and wold catechize them that catechized him; that they were but mercenarie men and pensioners. "Bring out your Gamaliel," said he; "produce him, if ye have anie in your house, that we may see him." The bailife answered, They were frier of these imputations nor himself. "O Mr Bailiffe!" sayes he, "O Mr Rig! O Mr Bailiffe! ye are a great magistrate, O, a great clerk." In end, he bade them all come doun to the Magdalene Chappell, that he might catechize them, and threatned they sould all smart. Manie moe like speeches he uttered, with unbridled choler and rage, as if he had been bereft of his witts. Yit durst he never urge a tryall of the words that were layde to his charge, but onlie outfaced the mater with threats and bragges; and for all his bragges could not produce one sufficient reason for their Communions profaned with confusion and disorder, and polluted with idolatrie and superstition. Heate rysing betwixt the ministers and the people, the Communion was celebrate at Easter following.

THE MINISTERS COMPLAIN OF THEIR FLOCKE.

The ministers, speciallie Mr Forbese and Mr Sydserf, were vehement in their invectives against the people all this moneth. Mr William Struthers, in a letter sent over to the Bishop of St Androes, had these words: "Although we were trode under foote by our people, we have none to wyte but your Lordship; for when we meaned ourselfs to your Lordship before in the like case, we gott litle mends, and your Lordship kythed verie partiall toward them in their favours. Therfore, albeit they sould carie themselfs never so unduetifullie towards us heirafter, we are not myndit to make our mone to your Lordship theranent, neither will I write anie thing to your Lordship in accusation of my flocke." And yit was he accusing by way of preterition as pithilie as he could. The rest of the ministers likewise, in their generall letter to the bishop, requeisted him to purchasse their dimission out of Edinburgh from the king. This requeist imported a verie greevous complaint.

SIX OF THE INHABITANTS OF EDINBURGH CITED BEFORE THE COUNSEL.

The king being incensed by information sent either from the ministers of Edinburgh themselfs, or from Mr Patrik Galloway, or the Bishop of St Androes in their name, sent doun a direction to a select number of the Secrete Counsel, to try the behaviour of some citizens at the meeting which was holden the 23d of Marche. So, upon the last of Aprile, sixe of the citizens, to witt, William Rig, bailliffe, Johne Dickson, flesher, Johne Hammiltoun, apothecarie, Joseph Millar, advocate, Johne Meine and William Simson, merchants, were charged everie one severallie by a macer to compeer before the Lords of Counsel appointed for the tryall, viz., Chancelour Hay, the Earle of Marre, treasurer, the Earle of Melrose, secretar, Sir William Olyphant, the King's Advocat, the Bishop of St Androes, and the Bishop of Dumblane. Johne

Fleamine, merchant, was out of the toun, or els he had beene wairned. The provest, bailiffs, and ministers, were wairned likewise to be present. The honest men were charged before noone to compeir afternoone.

W. RIG'S DEPOSITION.

William Rig, bailiffe, was first called on by the macer. The chancelour demandit, if he affirmed that the place where the meeting was holden was a meete place, and the persons there conveened fitt persons to judge of their ministers' doctrine? He answeired, "We conveened that day according to a laudable custome, which hath beene observed in the kirk of Edinburgh ever since the Reformation, as I am informed; which meeting before the Communion was thought verie neidfull to remove such jarres as had fallen out either amongst the ministers themselfs, or among the people, or betwixt the ministers and the people. For which cause the Sabboth preceiding, to witt, the 21st of Marche, we were all publictlie wairned from the pulpits by the ministers themselfs, before noone, to resort to the East Kirk. Therefore, I thought the meeting in that place verie warrantable." As to the second point, he answered, that it became everie Christian to have the judgment of discretion, whereby he may discerne whether that which is delivered be agreeable to the trueth or not, as the Bereans did. We are commandit by Johne the apostle, 1 Epist. cap. iv., not to beleeve everie spirit; but to trie the spirits, whether they be of God or not. As for my brethren's part, I thought they had verie good reason to utter their regrates and complaints in that place, for the uncouth doctrine that was not wont to sound out of our pulpits, albeit now often delivered by some of our pastors; and, therefore, that ministers might be demandit for a reason of their doctrine, and in cases needfull might also be admonished by the people; both which, Mr William Struthers, being moderator, seemed to decline. Sundrie speeches past betwixt him and everie one that was there. But this was the substance of his answeir to the

chancelour. Whill he was removing and going to the doore, the chancelour called him again at the Bishop of St Androes his desire, as appeared, and asked if he was one of them that desired the Communion to be ministred efter the old maner? He expected noe such question, and therefore could not suddenlie call to mind whether he had done it or not. But because it was a thing he approved in his heart, he resolved rather to confess than to deny the words, which perhapps he had spoken. So he answeired, "My Lord, I think I did." The chancelour asked againe, did he? He answeired again, "My Lord, I think I did." The chancelour caused the clerk, James Primerose, sett doun his deposition, and so he was removed. The bishop had a minute of interrogators for everie one that was to be examined, furnished, noe doubt, by the ministers of Edinburgh. Finding noe vantage otherwise to be had of his behaviour or his words, he thought he had him now in a hose nett, in that he sould have craved the Communion to be celebrate in a forme contrarie to the act of Parliament. But the trueth is, he spake noe such mater, as the provest, bailliffs, and others that were present, could beare witness. But if he had, his simple desire or requeist could not have made him lyable by law to anie punishment. He was noe soonner removed but he began to call himself to rememberance, and resolved to cleere himself, if he were called in againe. But he was not called.

JOHNE DICKSON'S DEPOSITION.

Johne Dickson being called in, the chancelour asked him, what were the words that he spake of Mr Forbese in the Little Kirk? He answeired, "My Lord, there was a laudable custome used before the Communion, that all the knowne eylasts in the congregation sould be taken away, and that the ministers, elders, and deacons, sould be tryed of their diligence. The pastors were removed, the clerk commanded by my Lord Provest to demand of the companie, if they had anie thing to lay to the charge of their pastors, in doctrine, life, or conversation, which he did once, twise,

thrise. Then I rose up at the last, and asked leave of my Lord Provest to speake." So he repeated the words above written, which he had uttered at the meeting. Then said the chancelour, "Ye speeke these words to us now calmelie, but ye were full of hatred and choler when ye spake at that meeting." He answeired, "My Lord, noe more than I am now, and noe man that heard me will say otherwise of me." Then said the chancelour, "Ye separate yourself from the kirk." He answeired, "My Lord, I never separated myself from the kirk, and never thinks to doe. I know there is noe man nor woman living but they are sinfull, nor anie kirk so pure but there are some faults in it. As for my self, I had rather live in the Kirk of Scotland than in anie other kirk." "I know," sayeth the secretar, "ye have been intised by some to utter these words of your pastors." He answeired, "My Lord, the doctrine being flatt contrarie, and so publictlie delivered, moved me, when I heard the clerk demand thrise." Being asked, if he desired the Communion to be ministred according to the old forme, he answeired, "I wishe for myselfe it had beene so, but I spake it not."

J. MEINE'S DEPOSITION.

Johne Meine was called on. The chancelour asked, what was his part upon that Tuysday's meeting? He answeired, "My Lord, my part was verie litle: I desired the Communion to be ministred efter the old maner." "Why noe, Sir?" said the chancelour. "Why noe, Sir?" said the secretare, smyling and laughing: "Why sould ye not be served according to your humour?" Then said the Bishop of St Androes, "Johne Meine is one of those that keepe privat conventicles. He keeped a Brownist minister in his house, teaching, and keeping conventicles." Johne Meine directed his answeir to the chancelour, and said, "My Lord, he never taught in my house; but I wishe at God they were moe preachings and prayers than there are." "Have ye not als good teachers as are in the land?" said the chancelour: "may ye not be slaiked with

your owne?" "These men ye heare and follow, preache to you by the spirit of the devill," said the Bishop of St Androes. "I wold not that for all the world," answeired Johne Meine. St Androes, directing his speeche to the rest of the lords, said, "I was once sett upon the Brownist minister in his hous, but narrowlie missed him: he is now dead in Irland; we are well quyte of him." "Have ye anie more?" asked the chancelour at Johne Meine. He answeired, "When Mr Andro Ramsay was laughing and sporting at us, I said, Sir, ye will answeir to God for that." The chancelour said, "Yea, Sir, when your minister smyleth, will ye call him before God's judgement-seate for that?" He answeired, "If it were not for respect of that judgement, I could goe als farre in that way as others doe."

J. HAMMILTOUN'S DEPOSITION.

Johne Hammiltoun was called in. To him it was objected, that he called Mr William Forbese his doctrine poysonable, and so had censoriouslie and presumpteouslie condemned him of heresie, before either he was heard, or condemned by a lawfull judicatorie. He answeired, "My Lord, please your Lordship, I called not his doctrine poysonable. I sall declare to your Lordship in trueth and veritie what were my words, and in what sense, and upon what occasion uttered. That point which then was questioned anent the easie reconciling of the controversies betwixt us and the Papists, and namelie, in the point of Justification, being to manie of God's people in this congregation scandalous, and suspect of unsoundness, as directlie contrare to the doctrine delivered by our pastors heretofore, and in expresse termes repugnant to Mr William Struthers' doctrine delivered immediatlie thereafter upon the same mater, and smelling of too great partiallitie to Papists and Papistrie, at thir times speciallie, when Papists are daylie abounding amongst us, and Poperie increassing, when God's people cannot be vehementlie enough inflammed to the hatred of that spirituall Egypt and whoorish Babylone, some honest hearted and zealous Christians

humblie and in all modestie craved, that this offence might be pondered and considered by the rest of their godlie and learned pastors, and their consciences satisfied anent this scruple. It was answeired, It became us not, who were the people and flocke, to medle with our pastors' doctrine, or to censure them in points therof. To which I answered, directing my speeche to my Lord Provest, My Lord, it is verie important to us to trie our pastors' doctrine, and to inquire in the soundness and integritie therof, as I may cleerlie illustrate by this similitude: If your Lordship had neid to imploy me or anie other to give your Lordship physick, sould not your Lordship have verie good reason to try the potion, whether it be good and healthsome medicine, and not poyson? Even so have we neid to try the doctrine of our pastors, which is the physicke of our soules, by that good and wholesome medecine of the sincere milk of God's Word. And this was all I spake; and most humblie submitt myself to your Lordship's censure, if I spake anie thing, but that which all faithfull Christians will subscribe unto, and which I may justifie by expresse Scripture; as when it is said, 1 Epist. John, iv. chap., 1 verse: 'Dearlie beloved, beleeve not everie spirit; but try the spirits, whether they are of God.' The Bereans are expresslie commendit, Acts xvii., becaus they searched the Scriptures daylie, to know whether these things which Paul taught were so or not."

JOSEPH MILLAR'S DEPOSITION.

Joseph Millar, procurator, was called on, and demandit by the chancelour what was his part? He confessed that he was present at the meeting, and shewed that it was an ancient custome used in the kirk of Edinburgh, and that he had been present at it manie yeers before, and that the ministers warned the inhabitants to be present. Then he told upon what occasion Johne Dickson and others spake, and how he himself answeired to David Aikenheid, to witt, that he approved the answer given him before by others, to witt, that a publict fault craved publict admonition.

Then the chancelour demandit tauntinglie, as appeared, if he was there as procurator for Johne Dickson? He answered, he was not there as procurator for him or anie man, but as a neighbour and inhabitant, with other honest men. Therafter the chancelour, at the Bishop of St Androes his suggestion, sitting neerest him, demandit, if when the provest commandit him silence, he answeired, My Lord, it is not relevant; give me leave to speeke the trueth? He answeired, "Neither did the provest injoyne me silence in particular, nor gave I such answeir; and if he had, I would have satisfied his Lordship with a more seemlie answeir. When Mr Johne Hay, clerk, interrupted him at that meeting, whill he was going about upon some occasion to approve a trueth, saying, Joseph Millar, are ye come to make sedition? he answered nothing, but pittying the man's evill disposition, I meant nothing lesse."

William Simson was called on. What he deponed I have not learned, nor what he spake in the kirk, but that he objected, that Mr Patrik Galloway came seldome to the session.

Everie one deponed the trueth simplie, not looking for anie harme. If they had feared anie danger, they might have putt them to probation; but meaning ingenuouslie and simplie, they deponed the trueth, everie one for their owne part; for they had not received anie lybelled summones, which made them the readier to relate everie one their owne part. None of the magistrats or counselours who were present, and ear-witnesses, could improve their deposition. William Rig confessed more than he spake. Whereupon he went to James Prymrose, the clerk, the day following, to see his deposition, that he might have it mendit, if it were possible, in that point wherof he was free. The clerk told him, it was out of time, for it was alreadie sent away to the king. Then said William Rig, "Let the Lord doe in it as he thinks best; for I know he can overrule all our actions, and can turne this to the best, if he seeth good."

DUMFERMELINE BRUNT.

Upon the 26th of May, a young boy in Dumfermeline shootting a gunne, a litle peece of the lunt flieth upon a thacke house, which easilie kindled. The fire increassed with the violence of the wind, which was verie vehement. The fire began at twelf houres, and brunt the whole toun, some few sclat houses excepted, before foure efternoone; goods and gear within houses, malt and victuall in malt-kills and barns, were consumed with the fire.

THE KING'S DIRECTIONS CONCERNING THE PERSONS CITED.

The king's answeir concerning the sixe burgesses of Edinburgh was not sent doun till the sevinth or eight of June, becaus the king was bussied with maters of great importance in the English Parliament. He commandit the above named counselours to deprive William Rig of his office, to fyne him in a great somme, fiftie thousand punds at the least, as is constantlie reported; to waird his person in the castle of Blacknesse, to detaine him in that castle till the somme were payed, and efter to confine him in Orkney. Sicklyke, to fyne and confine the rest, and to deprive so manie as had an office, of the office. When the above named lords received the king's letter, they began to apprehend whereto such a preparative might tend, but out of time; for some of themselfs had prescribed this course to be followed, at least the Bishop of St Androes, or the Bishop of Dumblane, or both. But when the lords perceived how rigourous the king's will was, they wold deale noe farther in that mater by themselfs, but drew it in before the whole counsel. So they were cited to compeir before the Lords of Secrete Counsel the tenth of June.

To prevent the sentence, William Rig caused James Prymrose forme a bill, wherin he referred himself to the testimonie of the ministers themselfs, and others that were present at the meeting, that he spake not that which he confessed doubtinglie the other

day before. His friends travelled with the ministers, and with the provest and bailiffs, to testifie the trueth.

J. HAMMILTOUN'S AND J. DICKSON'S CONFERENCE WITH THEIR MINISTERS.

The day preceiding, that is, the ninth of June, the provest, three bailiffs, the deane of gild, Johne Smiler, Gilbert Kirkwode, and some others of the counsel, and the ministers, conveened in the Lower Counsel-house. Johne Hammiltoun and Johne Dickson sustained manie and hard accusations of their ministers, for their misbehaviour toward them in word and deid, viz., of keeping to the overthrow of the trueth; privat preaching and praying; of having and reading seditious pamphlets sett out against them and their proceedings, without revealing them or finding fault with them, but rather allowing them. They were posed upon their conscience, whether they were guiltie or not, but refused to answeir; but onlie Johne Hammiltoun said, he was never at anie meeting, but such as wold byde the tryall of anie law. Both answered, they were desired to come to that meeting to declare and testifie, that in that Tuysday's meeting they had noe malicious purpose against their persons, much lesse a purpose to disgrace their ministrie. When it was demandit, what they had to say for bygones? Johne Dickson answered, that he simplie * * and knew not wherin he said wrong: if he had erred in the forme, he wold have wished to have knowne how to have done it better; and wished that he had privatlie gone to Mr Forbese for that mater, which he wold have done, if he had thought the other course could have bredd anie offense. This was a confession of a fault in the forme, and gave occasion to the ministers to travell further with him, as weaker nor the rest; and so it proved. Yit it is to be marked, that Mr Struthers said at that time, if Johne Dickson charged not Mr William Forbese with affirming that the Papists and we may be reconciled in all the controversies, it was noe accusation. So by these words, he both cleered Johne Dickson, and said Amen to Mr

Forbese. For there is litle difference whether they say, in *all* controversies, or in *manie*, so long as the manie are not specified; and, indeid, Justification, which is one of the weightiest, was reckonned as one. Johne Hammiltoun said, there could be noe wrong in answering to so lawfull a demand in time and place, and namlie, in a mater of so great importance. They were both removed. William Rig being within, because he was then a bailiffe, conferred with the ministers, and satisfied them as seemed. When they were called in againe, the provest asked, if they wold not desire the ministers to interceede for them? Johne Dickson answered, "They are our pastors; if they will not deale, let them doe as they list." Johne Hammiltoun answered, "We will requeist them." Whereupon they rise suddenlie, and interchange familiarlie some words with them in the floure. They thought they were satisfied, and expected they wold deale for their releef.

THE SENTENCE GIVEN OUT AGAINST THE PERSONS CITED.

Upon the tenth of June, five of the burgesses compeired before the counsel. Joseph Millar was not cited, but spaired at the intercession of James Prymrois, Clerk to the Secrete Counsel, and that without the knowledge of the said Joseph. The provest, bailiffs, and ministers, were wairned likwise to be present. Mr Patrik Galloway, as mouth to the rest, had a haraunge before the lords, wherin he shewed, that his Majestie had written to him twise, to incourage his brethren, and desired them to take in patience that injurie which they had receaved at that meeting, for he wold take order with it. "As for ourselfs," said he, "we desire nothing but a peaceable ministrie. Therefore, seing William Rig has acknowledged his oversight, has given us full satisfaction, has promised amendiment, and a peaceable and quiet behaviour in time coming, we are to intreate your Lordships that the sentence may be mitigate; for his Majestie has putt the power in your Lordships' hands, and the sword to be used as neid sall crave. Wherefore we onlie desire, that our ministrie may be made by your Lordships

peaceable, or els that we may have a peaceable departure." This haraunge he had in presence of the honest men, which was rather an accusation nor an intreattie or requeist; for it might import, that except order were taken with the rest, they could not brooke their ministrie in peace. William Rig impugned not that part which concerned himself. His silence was a mater of accusation which lay heavie upon his conscience efter, for he had confessed noe such mater. His constancie to the end of his trouble was a sufficient proof of his honestie. They were all removed. It [was] questioned in the counsel, whether Mr Patrik's haraunge sould be extendit to the rest or not. At length it was agreed, that in regard Mr Patrik named none but William Rig, that he meaned not that the rest sould have anie mitigation. Some desired that he might be called in againe to declare his meaning, but it was refused. Mr Patrik himself confessed to the provest and bailiffs, that he knew not weill what he spake before the counsel. They were called in again. The sentence ordained by the king against William Rig was mitigate, and he ordained onlie to keepe his owne house, till he sould heare farther of the king's will. In the meane time, they absolved him from that for which the king wold have them proceeding against him to the rigour, and withall, wrote to the king in his favours. Johne Dickson and William Simson were ordained to enter in the Tolbuith of Edinburgh, Johne Meine within the toun of Elgine, Johne Hammiltoun within the toun of Aberdeen: and wherefore? for ryot and misdemeanour, forsuith! But if there had been omission of a private admonition, yit cannot that prove misdemeanour or ryot; for it may proceede of ignorance or simplicitie: and howbeit it proceede of corrupt affection or malice, yit it is never punishable by anie law, civile or ecclesiasticall, because it is expedient that sinne be repressed. Farther, there was noe need of privat admonition; for a seducer is like a man that has the pest; therefore, we may not rest secure upon privat admonition, but ought to wairne everie man to be warre of him, according to the Lord's command, Deut. xiii. 6. Again, private admonition serveth to prevent publict scandall; but Mr Forbese his assertion was uttered in pulpit, in audience of three

thousand, and the noise of it was heard in sundrie corners of the kingdome. Yea, who can tell whose minds were infected with it in the meane time, or sensyne? The meeting was usuall and ordinarie for such complaints. As for craving the Communion to be celebrate efter the old forme, a haynous transgression, forsooth! to crave that favour which subjects will doe in manie civile cases. Where there are penall statuts standing above their heads, what fault to request their ministers to doe, as the farre greatest number of the ministers of Scotland still doeth? The act of Parliament ratifying the act of the Assemblie was alledgit to be made in favours of the kirk, as all the late ratifications are: but the fourtie[th] person within the Kirk of Scotland had not kneeled. The Kirk of Scotland then accepted the act of ratification as a benefite, but rejected it. If there had been anie fault or breache of a law in that point, none of the five committed it except one, neither was it anie point or article of their lybell.

The ministers of Edinburgh alledging before the counsel, that they could have noe peace with the people, so long as other ministers, speciallie the deprived and silenced, resorted to the toun, and keeped private conventicles, a charge was given, which was published the day following, the elleventh of June, by open proclamation at the Mercate Crosse, and some ministers were summoned to compeir before the counsel the 24th of June. The tenor of the proclamation heir followeth:—

A PROCLAMATION AGAINST PRIVAT MEETINGS.

"JAMES, etc.—Forsameikle as it is knowne to us, that none of our intentions or actions can be so acceptable to God, as the zealous worship of his holie name, and the unfained profession and propagation of true religion; our greattest care and constant endevoure has ever beene, during the whole course of our raigne, to preserve the same, to be established and maintained in sincere puritie in all our dominions, and ruled and exercised with that discipline which best agrees with the Word of God, and lovable custome of the

primitive church, and the best reformed churches of our age. And wheras we thought, that by exterminion of Popish idolatrie furth of this our native kingdome, and prescribing convenient orders for church governement, we had attained to the wished end of that great and good work which we so heartilie intendit, for disposing the minds of all our good subjects to an uniform profession of true religion, and obedience to lawfull discipline: We have of late known, to our unspeakable greefe, that a number of our subjects, some of them misledd by the turbulent persuasions of restless ministers, either deprived of their functions, or confined for just causes, or such as leave the due conduct of their owne flocks, to debauche and seduce their neighbours'; manie affecting hypocriticallie the glorie of puritie and zeale above others, and some corrupted by the badd exemple of the former, have casten off the reverend respect and obedience that they owe to our authoritie royall, and to their pastors; contemned and impugned their doctrine, disobeyed and controlled their ordinarie discipline, absteaned to heare the Word preached, and to participate of the sacraments ministred by them in their owne paroche, and have disorderlie strayed to other congregations; and in end, numbers of them have assembled themselfs in privat houses in Edinburgh, and other places, to heare from intruding ministers, preachings, exhortations, prayers, and all sort of exercises fitting their unrulie fantasies, in anie times, at the verie ordinarie houres when their owne pastors were, according to their lawfull callings, preaching in their paroche churches: Likas they have assumed to these their seditious conventicles the name of Congregation, and done what in them lyes falslie to imprint in the hearts of our people a perswasion, that we doe persecute the sincere professours of true religion, and introduce corruption in the church governement: And in our calling to mind, that in our owne and in our fathers' age, such pernicious seeds of separation, singularitie of blind or fained zeale, have brought furth damned sects of Anabaptists, Families of Love, Brownists, Arminians, Illuminats, and manie such pests, enemies to religion, authoritie, and peace, and occasioned the murther of millions of people, and infinite other

disturbances, harmes, and confusions, in manie Christian churches and estates; for remeid wherof, and preventing the dangers which might insue by preposterous lenitie in the cure of so pestilent and infective a disease,

"Our will is, and we charge you straitlie and commands, that incontinent thir our letters seene, ye pass to the Mercat Crosse of our burgh of Edinburgh, and others places needfull, and in our name and authoritie command, charge, and straitlie prohibite, that none of our subjects, of whatsoever estate or qualitie, presume or take upon hand to meete or conveene in anie private house or place, to anie preaching, exhortation, or such religious exercise, except these of their familie or their freinds resorting for lawfull caus, to eate or lodge within the same; but that they keepe their owne paroches, or repair to the ordinar churches of the places where they sall happen to have their lawfull effaires to doe, there to heare the Word preached, and discipline orderlie exercised; and that they attempt not to impugne, by discourse or disputation, by word or writt, the true religion or lawfull discipline of the church, approven and authorized by our lawes and acts of parliament, or slander us with their fals suggestions, as persecuting the professours of true religion; wherof we have ever studied with happie successe to procure and establish the libertie; or to misconstrue our good intentions, or calumniat our royall actions and ordinances: But that they containe themselfs within the bounds of that duetie and obedience which becometh faithfull subjects to yeeld to us, their lawfull and native soveraigne, ever readie to protect and cherish all our loving and duetifull people.

"Certifying them, and everie one of them, that if anie heirafter sall be duelie verified to doe in the contrare in anie of the premisses, they sall be esteemed and reputed seditious, turbulent, and rebellious persons, contemners of our authoritie, disobedient to the lawes of the church and kingdome, and punished in their persons and goods with all extremitie, in exemple of others. And we also command, that this declaration of our royall will and pleasure be imprinted, published, and affixed in all convenient places to be

appointed by the Lords of our Secrete Counsell; and that all magistrates, officers, and others having authoritie from us, caus observe and execute the premisses within the bounds of their jurisdiction, and advertise the Lords of our Privie Counsel of everie thing requisite for observation therof, and punishing of the controveeners, as they will be answerable to us at their perill. The which to doe, &c.

"Given under our signet, at Halyrudhous, the tenth day of June, and of our raigne the 54th and 23d yeirs, 1624.

"*Per actum Secreti Consilij.*"

This proclamation was penned, as is reported, by the Bishop of St Androes, wherin is falslie alledgit, that some of the persons suspected absteaned from hearing the Word preached.

Nixt, that they had their privat meetings manie times at the ordinar houres, when their lawfull pastors were preaching in their paroche churches: Thridlie, that they assumed to their conventicles the name of Congregation. A number of godlie Christians conveened sometimes, when they had occasion of a sound and zealous minister, to stirre them up in these times of defection, and recommendit to God the desolate estate of this poore kirk; for the pulpits of Edinburgh soundit all the contrarie way.

FOUR MINISTERS CONFINED.

Mr Johne Murray, Mr Robert Boyde, Mr Johne Ker, Mr Thomas Hogge, were summoned to compeir before the Secrete Counsel the 24th of June. Mr Johne Murrey compeired not, becaus he was hurt by a fall off a horse, but was ordained to be straitlie confined within the paroche of Fowlis, where he was confined before. Mr Robert Boyde was confined within the bounds of Carict; Mr Johne Ker, within his owne paroche of Saltprestoun; Mr Thomas Hogge, within the bounds of Dysert and Kirkaldie. The narrative of Mr Thomas Hogge's summones was this following:—

"Forsameikle as we are crediblie informed, that there be diverse persons resident in our burgh of Edinburgh, or frequentlie coming there, as namelie, Mr Thomas Hogge, a deposed minister, who hinders the obedience of our people to the lawes, and stirres them up to continue in their disobedience and disconformitie to the orders of the kirk, highlie to our offense, contempt, and misregard of our royall authoritie. Our will is heirfor," &c.

THE KING URGETH EXTREMITIE.

The king sent doun to the Lords of Secrete Counsel a sharp letter, wherin he rebuked them for their lenitie, and commandit them to putt in execution his will against the burgesses: to waird William Rig in Blacknesse, and to fine him in a great somme; for he assured himself that he was neither full nor drunken when he confessed that which he deponed at the first compeirance; and ordained that he sould be deprived of his office. And siclyke, to putt in execution his will against the rest.

J. HAMMILTOUN'S CONFERENCE WITH THE MINISTERS OF EDINBURGH.

Johne Hammiltoun and John Meine dealt with the ministers particularlie, to intreate the counsel and the bishop for retreatting of the sentence, or at least for delay of execution. They promised to write to the bishop. The letter was so generall and fectless, that the provest and the bailiffs refused to assist it with their letter. They gatt a sight of it, but Johne Hammiltoun himself could not gett a sight of it. Johne Hammiltoun, notwithstanding, insisted with the ministers to renew their letter, and to make it more speciall; and at his desire, the provest sent for the ministers to come to the Lower Counsel House, where were conveened the provest, the bailiffs, the deane of gild, Mr Johne Hay, the toun-clerk, and some others of the counsel; Mr Andro Ramsay, Mr William Struthers, Mr William Forbese, Mr Johne Maxwell, and Mr Thomas Sydserf, ministers. The ministers asked at Johne

Hammiltoun what he craved? as if they had beene ignorant. He answeired, "Sirs, it is not unknowne to you what we crave, namlie, that ye wold deale for us, to releeve us out of this danger that hangeth over our heads. And to that effect, seing ye seeme to be satisfied, that it wold please you to renew your letter to the bishop, to the end my Lord Provest may second it." They answeired, they wold altere nothing. Then said Johne Hammiltoun, "We neid not to looke for releefe by you." "The blame lyeth upon yourself," answeired the ministers; "for we must have somewhat to say to the counsel, namelie, that ye have satisfied us in that which is desired." "If that which is desired," said he, "be not reasonable, ye sould informe them." "O," said they, "but ye must communicate with us; for in not communicating, ye make a schisme and separation from us." "I hope none in this toun will say so," said Johne Hammiltoun; "and ye doe evill, that putteth the people in mind of schisme, that knoweth noe such thing: for neither in affection nor action doe I separate from anie of my brethrein, in anie civile mater or behaviour, nor from the kirk, in anie thing wherin I ought to joyne with them." "He knoweth not what schisme is," sayeth Mr Forbese. "I am sorie," sayeth Johne Hammiltoun, "that ever we had such caus to know it; yit this well I know, I am noe schismatick." "How so?" say they. "Becaus," said Johne Hammiltoun, "*Non est schismaticus qui schisma patitur, sed qui schisma facit.*" "What say ye to that?" sayes Mr Thomas; "he makes us schismaticks." "Noe, Sir," said Johne Hammiltoun, "I onlie defend myself, whom ye will have to be reputed so." Mr Thomas urged him to declare his mind, whether kneeling at the receiving of the Sacrament was idolatrie or not. Howbeit he knew his answeir wold be unpleasant unto them, in end he said, It had a great appearance and shew of idolatrie. They urged him to reason with them. He answered, It was a verie unfitt time; for feare of danger, or hope of releefe, might blind them, or make them grant that which they wold repent efter; but if he were free, he sould not be refractorie in hearing reason, and receiving instruction. "Ye must doe it presentlie," say they,

"or els noe dealing for you." Then said Johne Hammiltoun, "Sirs, seing ye esteeme these things ye doe indifferent, which in the sight of God I neither esteeme so, nor darre esteeme, I think ye sould, and I desire ye wold, out of Christian duetie, be pleased to spair us." Then they desired him to take a time to advise. "Not," said he; "that is needless; for *in re tam justa non est opus deliberatione*. We have used all the meanes we can, may, or darre, to procure our releefe; we will committ the event to God, who will doe what His majestie thinketh best. Thus the case standeth with me; either I must racke my conscience, or ruinate my estate." "Wold we have you to racke your conscience?" sayes Mr Struthers: "Ye are a malicious calumniator." "I am neither the one nor the other," said Johne Hammiltoun: "The thing itself is undenyable; for in not doing the one, follows necessarilie the other. Seing noe better may be had, may it please you to deale with the counsel for eight dayes prorogation, becaus, before the bishop's answeir to your letter be sent, the time will expire." They refuse, and went from him, howbeit Mr William Struthers had promised that morning in his owne hous, to goe to the counsel to intreate for him, as he desired. At parting, Johne Hammiltoun said, "The Lord, I trust, will take order with this mater in his owne time." The bishop, instead of procuring for the honest men, impudentlie made a mone for himself and for the ministers, in his answere to their generall letter, as the woulf complained that the lambe had troubled the fountaine, and made the water so muddie that it could not be drunk.

The tenour of his answeir heir followeth:—

"LOVING BRETHREN,—I received your letter intreatting me to requeist for these of your flocke who are in this trouble. I beleeve, although I wold requeist, the counsel sould not be yeelding; and knowes certanlie, that his Majestie will offend with the lenitie alreadie shewed. For his Hieness apprehends these maters otherwise than is conceaved by manie. You sall therefore pardon me that I medle noe more with that bussiness, whill I heare how his

Majestie taketh it. There is time enough if they will amend, neither is their trouble so great in all that is inflicted, as either yours or my owne. So, trusting ye will excuse me in this, I commend you to God.

"Your assured brother,

"St Androes.

"21st June, 1624."

It appeareth by the bishop's answeir, that they made a fashion of intreatting the bishop, but in such a maner that he might easilie tak up their mind. And therefore they wold not shew their letter to the supplicants themselfs; and as for the counselours, they refused altogether to intreate them. The Lords of Secrete Counsel assured the honest men, that there was noe releef for them but by the intreattie of their ministers; and yit, like woulfes rather than like pastors, behave they themselfs toward the best of their flocke. Alwayes it was evidentlie tryed, that the honest men were thus hardlie used, not so much for that which was layde to Mr Forbese his charge, which was never brought to tryall, but for not countenancing their ministers at their Communions, profained with disorder and confusion, and polluted with idolatrie and superstition. They had great reason to refuse; becaus the Kirk of Scotland is bound by the Confession of Faith to maintaine the order of ministration which was receaved in this kirk when the Confession of Faith was first subscribed, which order is registred in the First Booke of Discipline, and in our Psalme Books, and is still practised by two parts at least of the congregations of Scotland, still opponing to these innovations. It became everie good Christian to oppone so farre as they might lawfullie, keeping themselfs within the compass of their owne callings.

THE HONEST MEN WAIRDIT, CONFINED, AND DEPRIVED.

Upon the second of Julie, the Lords of Secrete Counsel, to give the king contentment, directed a charge to William Rig to

enter his person in waird in the castle of Blacknesse, and deprived him of his office of bailiverie, and made him uncapable of anie office within the toun heirafter; which was a mater nothing belonging to them, but touched the liberties of the toun; yit they made noe mention of his fyne. He entered in Blacknesse upon the sixt of Julie, and was detained in waird till Januar. The king, not content with his wairding in Blackness, sent doun a sharp letter to the counsel in the end of this moneth of Julie, wherin he still insisted upon the fyne of fiftie thousand punds. The king hated him more nor the rest, because he was informed that he was the cheefe ringleader of the Nonconformitanes in Edinburgh, and that he contributed largelie to the printing of books which crossed the course of conformitie. The Bishops St Androes and Dumblane gaping for his fyne, or for some great brybe, were not idle instruments. Johne Dickson and William Simson were depryved of their offices, Johne Dickson of the office of an elder of the kirk, William Simson of the office of a deacone, and both declared uncapable of these or anie other offices in time coming. This punishment, no doubt, was devised by David Aikenheid and Mr Johne Hay, who wold rule both counsel and session as they please, and therefore wold be ridd of all such as they think will oppose to their corrupt courses. The ministers likewise strove so farre as they can that none beare office within that toun, either civile or ecclesiasticall, who are not conforme, or at least will not communicate, yea, or will not further them in the course of conformitie. Johne Meine was charged to enter in Elgine of Murrey, the place appointed for his confine, which he obeyed. John Hamiltoun obtained three prorogations, one efter another, by moyen of his patients, and so he drave the time over till the ellevinth of November.

THE MINISTERS IMPORTUNATE UPON JOHNE DICKSON AND WILLIAM SIMSON.

The ministers having gotten two of the weakest of the number,

Johne Dickson and William Simson, in the Tolbuith, wrought continuallie upon them till they gott their promise to communicate. So long as they stoode out, Johne Dickson acknowledged he sould prove verie unthankfull if ever he past by the javell doore without thankfull remembrance of the confort he found in that prison. If he found the like confort in yeelding, either both are deceitfull, or the first onlie true, and not easilie recovered againe. And yit, notwithstanding of his yeelding, was he not releeved out of the javell till he was sicklie, and then onlie suffered to keepe his owne house.

THE COUNSEL TAKEN SWORNE FOR PRIVIE CONVENTICLES.

Upon the 29th of Julie, the provest, bailiffs, and diverse of the counsel, were wairned to come doun to the Palace of Halyrudhous to the Lords of Secrete Counsel. When they compeired, the chancelour said, "There is a letter come from his Majestie, shewing, that he is informed that there are conventicles keeped in Edinburgh. We here of the counsel have purged ourselfs by our oaths to be free of them; we desire you all to doe the like." He beginneth at the provest, Alexander Clerk, and relateth that the king was informed that there were diverse sects of religion croppen in among them, as of the Brownists, Waderdowpers, and siclyke, which were not tolerable; and had their privat conventicles. The provest and bailiffs being taken sworne, purged themselfs. Then the chancelour desired Mr John Hay, clerk of the toun, to call on the rest of the counsel. He called on Johne Fleamine, and bade him come forward within his sight, invying the honest man for his sinceritie and freedome in counsel. When the chancelour demandit if he was at anie of these conventicles? he desired the chancelour to defyne what he called a conventicle. "Ye say weill," said the chancelour; "it is a private meeting of men and women to a private religious exercise in time of publict sermon." He answeired, "I was never at anie privat exercise in time of publict sermon. I have been, I confess, at supper sundrie times

with freinds and neighbours; and when we could have the occasion of some honest minister, we used to have the prayer said before or efter supper, a chapter redd, and sometimes some lessons given us upon it." The chancelour wished all the toun did the like. The rest were posed likewise, and all cleered themselfs.

THE KING REBUKETH THE COUNSEL OF EDINBURGH.

At the same time, the king sent doun a letter to the magistrats and counsel of Edinburgh, wherin he rebuked them for not regarding his will and pleasure in giving obedience to the Five Articles, and not holding hand to punish such as refused to give obedience; and threatned, if they were not more carefull in tyme coming, both of the one and the other, to remove out of the burgh the session and all other courts of justice. The wiser sort knew well enough that the session and courts of justice could not be established so weill in anie toun of Scotland as in Edinburgh, and that it were noe policie to ruinate the cheefe citie of a kingdome which hath been of so long a standing. Yit some politicians, who made their vantage of conformitie, made the simpler to apprehend the danger more deeplie than they needit. But a great number was resolved to stand out against conformitie, howbeit he sould burne the toun to ashes.

PREPARATION FOR CHRISTMAS COMMUNION.

Immediatlie efter followed a charge upon the second of August, which was proclamed at the Crosse of Edinburgh, commanding the Lords of Privie Counsel, all the members of the Colledge of Justice, and the inhabitants of the toun of Edinburgh, to communicate kneeling upon the 25th of December, which is commonlie called Yule Day, which never [was] done in Edinburgh nor noe other kirk of Scotland since the Reformation. The wairding of honest men, the noise of the great fines that were to be imposed upon them; fiftie thowsand punds upon William Rig, twentie

thousand merkes upon Johne Hammiltoun, the feare of the removall of the session, made the king conceave that all, some few excepted, wold yeeld, and if Edinburgh yeeldit, that the rest of the countrie wold follow their exemple. As for the few that wold refuse to conforme, extremitie was intendit against them. Yit the number was greatter nor he or his informers did apprehend. But it came not to a tryall, for the Lord disappointed him of his intentions. The tenour of the proclamation here followeth :—

CHRISTMAS COMMUNION PROCLAMED.

"JAMES, by the grace of God, King of Great Britaine, France, and Irland, Defender of the Faith, to our lovits, * * * messingers, our shereffs in that part, conjunctlie and severallie, speciallie constitute, greeting.—Forsameikle as the Generall Assemblie of the Kirk, holden at our burgh of Perth in the moneth of August 1618 yeers, and assisted with our owne commissioners, and with diverse noblemen, barons, and commissioners from the speciall burrowes of this our kingdome, having duelie considered that there is noe part of divine worship more heavenlie and spirituall, than is the holie receiving of the blessed body and blood of our Lord and Saviour Jesus Christ, and that the most humble and reverend gesture of the bodie best becometh so sacred an action : Therefore, in reverence of God, and in due regard of so divine a mysterie, it was thought meete and ordained by the said Assemblie, that that blessed sacrament sould be celebrate therafter to the people reverentlie upon their knees; as an act of the said Assemblie beares. Which being presented to the consideration of our estats of Parliament conveened at our burgh of Edinburgh, in the moneth of August, the yeer of God 1620 yeers, they ratified, allowed, and approved the said act of the Assemblie, and interponed their authoritie therto, whereby it receaved the vigour and strength of a law and statut of our kingdom. And although publication was made therof, and all our subjects commandit to give obedience, and to conforme themselfs therunto; and we expecting, that in a mater

of this kind, importing so highlie the honour and worship of God, none wold have kythed refractorie and disobedient: Nevertheless, it is of trueth, that some of the commouns of our said burgh of Edinburgh, misledd with their owne conceats and opinions, and with an hypocriticall affectation of puritie and zeale above others, having casten off all reverence of the law, and obedience to our royall authoritie, have not onlie separate themselfs from the kirk of our said burgh by their refusall to participat of the said sacrament with their owne ministers there, conforme to the order of the kirk authorized by our Parliament, as said is, but they disorderlie stray to other congregations, highlie to our offense, scandall of their profession, and to the fostering and entertaining of a schisme and disorders in the kirk. With their which proud contempt of God and us, we having hithertills comported, ever looking that our long patience sould have reclaimed thir people from their opinions and fantasies, and reduced them to their acknowledging of their dueties first to God and nixt to us: We have notwithstanding found our patience to be abused, and thir unduetifull people the more obdured in their opinions; wherwith we have resolved noe longer to comport, but to take such course therin as our humour and justice requires, and their contempt deserves. And, therefore, we have commandit, and by thir presents commands, that the Communion be celebrate in all the kirks of our burgh of Edinburgh at Christmas nixt; and that all persons, als weill of our Privie Counsel, Session, magistrats of our burgh of Edinburgh, and all others of the communitie of the same, be all present, and take the Communion kneeling; wherin if they failyie, we, for that their contempt of God and us, will not onlie remove the session, but also all other courts of justice, from our said burgh.

"Our will is herefor, and we charge you straitlie and command, that incontinent thir our letters seene, ye pass to the Mercat Crosse of our said burgh of Edinburgh, and there, by open proclamation in our name and authoritie, make publication of the premisses, that none pretend ignorance of the same. The which to doe, we committ to you, conjunctlie and severallie, our full power,

by thir our letters, delivering them by you duelie execute and indorsed again to the bearer.

"Given under our signet, at Halyrudhous, the 29th day of Julie, and of our raigne the 58 and 23 yeirs, 1624.

"*Per actum Secreti Consilii.*"

THE FYFT OF AUGUST.

Upon Thursday, the fyft of August, the people conveened so rarelie, howbeit it was an ordinar day of preaching, that Doctor Forbese doubted whether he sould teach or not. It appeareth, the people were offendit at the proclamation, which was redd upon the Monday before.

MR R. BRUCE RETURNETH FROM INNERNESS.

Mr Robert Bruce having obtained licence from the counsel, returned in the moneth of September from Innernesse, to doe his domestick effairs. The conditions of his licence were so strait, that he purposed to goe backe to his confine, unless he obtained a prorogation. But the winter being driven over, and the king dying in Marche, he was not urged to returne backe, and so continueth teaching, where he can have occasion, to this houre.

THE KING'S WRATH CONTINUETH AGAINST WILLIAM RIG.

The chancelour receaved letters from the king concerning William Rig, meaning nothing but extremitie. But they were not redd in counsel, becaus the chancelour wold have had his friends using some meanes for pacification of the king. It was ordained this counsel day, the 22d of September, that all burghes sould be charged by open proclamation to choose conforme men, or such as wold conforme, to be magistrats, under the paine of incurring the king's displeasure.

THE PRINCE DAMASHED WITH A FALL.

In the beginning of October, we heard that the prince, ryding at hunting, had gotten a sore fall; that he lay speechless a great space, and was caried to the nixt hous, which was Mr Banks, a silenced minister's hous. He having studied physick since he was silenced, used his skill and such meanes as he had for the prince his recoverie. Efter that the prince recovered, he exhorted him to be thankfull to God for all his deliveries, and desired he might procure him libertie to open his mouth again. But he was forgotten.

A SYNOD AT ST ANDROES.

Upon the first Tuysday of October, the Bishop of St Androes held a diocesan synode at St Androes, where an act was made, that in respect manie persons, in contempt of their owne ministers, went to other kirks to communicat, that none hereafter be admitted, unless they have received a testimoniall from their owne minister. And if anie minister give them the Communion with[out] their minister's licence, he sall be deposed.

Item, That all persons, of what rank soever they were, sould present themselfs to the examination, or els be debarred from the Communion.

Item, That none be admitted to the ministrie but those who had an inclination to conformitie.

A SYNODE AT EDINBURGH.

Upon the second Tuysday of November, the bishop held another synode at Edinburgh. But the thrid part of the ministers were not present, becaus the time was anticipate, and wairning was given onlie to the most corrupt presbyteries; which was done of purpose, that the bishop and the ministers of Edinburgh might pass

some acts without opposition. The Presbyteries of Chirneside, Duns, Hadintoun, and some others, were not wairned. These that conveened concludit, howbeit not without opposition of some who were present, that noe minister sould give the Communion to anie of other congregations, unless they had their owne minister's testimoniall, under the paine of deposition. This was made to force the inhabitants of Edinburgh to communicate in their owne kirks, by debarring them from other kirks. *Item*, That in all kirks there sould be a portion of Scripture redd by the minister, except there were a reader, before the minister entered in his sermon. *Item*, That all persons, of whatsoever ranke or qualitie, present themselfs to the examination, before the receiving the Sacrament of the Supper. These acts were of noe force, because manie of the ministers were absent, through default of warning. There was an article left to be resolved upon at the nixt Assemblie, because it was thought too difficill, to witt, that expectants, and young men who were to enter in the ministrie, must have skill of the languages, Hebrew, Greeke, and Latine; be able to make an exercise or commoun head in Latine, and expone a chapter of the New Testament out of the Greeke, and a chapter of the Old Testament out of the Hebrew text in Latine, upon fourtie eight houres' advertisement. The bishop himself was not able to doe it.

PAPISTS FAVOURED.

Not long efter, the Marqueise of Huntlie came doun from court, presented the king's letter to the Lords of Secrete Counsel, purchassed in favours of three persons dwelling beside Aberdeene, that the sentence of excommunication be not pronunced against them, and that the Bishop of Aberdeene take noe vantage of them by reason of their horning; and that, becaus he understood that they were kinsmen to the Bishop of Rosse, surnamed Panter, who had done good service to his mother. The Bishop of St Androes received a letter sent from the king at the same time, willing him to write to the Bishop of Aberdeene to that effect; and to take

order with three ministers in the North, who were most earnest in the processe of excommunication against them, viz., Mr Andro Cant, Mr David Forester, Mr Johne Rosse, one of the ministers of Aberdeen. The Lords of Counsel could not relaxe them from the horne as Counselours, yit they relaxed them as Sessioners.

JOHNE HAMMILTOUN AND J. DICKSON WAIRDIT IN THE JAVELL.

Johne Hammiltoun and John Dickson were ordained to enter their persons in waird in the javell of Edinburgh, conforme to a letter directed from the king. So they entered in the javel upon the elleventh of November. So Johne Dickson, notwithstanding of his yeelding to communicate, hath noe greater libertie than the other who stoode out. The king is not content with communicating, but he will have all to communicate kneeling at Christmas nixt; and therefore the time approaching, he will have them to be committed to the javel, to strike a terrour in the hearts of others. As for William Simson, it was thought that he had satisfied the Bishop of St Androes with promises to the full; yit we heare not that he has communicat as yit kneeling.

THE PEST BREAKETH UP.

Whill the king is preparing the way for Christmas Communion, by changing the magistrats, imprisoning and confynning honest men for their non-conformitie, and threatening by his proclamations, the Lord sendeth an impediment to the execution unlooked for. For upon the 28th of November, the pest brake up in sundrie houses in Edinburgh, to the great terrour of the whole toun. It began in Paul Hay, a merchant's hous, a moneth before, and was not knowen till now; therefore the more dangerous, becaus hard to discerne the uncleane from the cleane. Upon the last of November, the chancelour, the president, and other Lords of Counsel and Session meeting together, resolved to rise, and continue the Session till the eight of Januar.

BONFIRES FOR THE PRINCE'S MATCHE.

Upon the 29th of November, we were advertised from court, that the articles and conditions of match betuixt the prince and the King of France his sister were agreid upon, wherupon bonfires were sett out in Edinburgh.

THE COUNSEL OF EDINBURGH SUBSCRIBETH CONFORMITIE.

Mr John Hay, commoun toun-clerk of Edinburgh, who was sent up to court with sundrie petitions to the king, returned, and according to the king's direction, desired the whole counsel of the toun to subscribe obedience to the acts of Perth. Yit Sir William Nisbit, the old provest, and some others, subscribed not.

J. HAMMILTOUN AND J. DICKSON LETT OUT OF THE JAYLE.

John Hammiltoun and John Dickson gave in their supplication to the Lords, intreatting for license to attend upon their families, in time of so dangerous a plague which was now broken up in the toun. Their petition could not be denyed. So efter they had been detained nynteene dayes in the javell, they were suffered to come furth, to attend upon their families. For the same reason, Johne Meine obtained libertie to returne from Elgine, the place of his confyne, to attend upon his familie.

CHRISTMAS COMMUNION DELAYED.

The pest breaking up, the session being dissolved, lords, lawers, wrytters, and other inhabitants departing off the toun, Christmas Communion was delayed, and King James altogether disappointed. Kings may propone, but God disponeș; or, as we use to say to a proverbe, "The king bids saile, but the wind cryes Ho!"[1] How-

[1] Stop.

beit the Lord had not casten in this impediment, it was liklie that there wold not have beene manie communicants by reason of the superstition of the time, let be kneelers. But the Lord wold have his hand in the bussiness, to let the world see that he can overrule kings. This pest raged not; few houses were infected with it; so that it appeared that the cheefe end wherefore the Lord had sent it, was to disappoint the king by scattering the people.

M.DC.XXV.

A PROCLAMATION AGAINST FORBIDDEN BOOKS.

Upon the 4th of Januar, there was a proclamation made at the Crosse of Edinburgh, making mention, that there were sundrie seditious persons who had written certane pamphlets and books tending to treason and sedition against the king, which were printed in the Low Countries, and were to be brought in Scotland; and, therefore, all magistrats of seaports, customers, searchers, and other officers, to suffer noe ships coming furth of the Low Countries to come within harberies, nor anie merchant or passengers to come on land, till first the ships were searched for these seditious writts, pamphlets, and books; and that the samine be presented to the Lords, to be sighted by such as were appointed to that effect. The proclamation made noe mention of the titles of the books. But by the providence of God, the books were brought out of the ship a day or two before it was searched, and keeped closse till the approaching Easter Communion; to witt, "An Epistle to a Christian Brother;" "An Exhortation to the Kirk of Edinburgh;" "A Dispute about Communicating, where there was kneeling and confusion."

W. RIG'S LICENCE TO ATTEND UPON HIS EFFAIRS.

About the beginning of Januar, the counsel gave a warrant to William Rig, who was wairdit in the Castle of Blacknesse, to re-

pair to his owne house at Mortoun, which lyeth within two miles of Edinburgh, to attend upon his domestick effairs for the space of fourtie dayes, becaus the pest was in Edinburgh. Before the fourtie dayes expyred, it pleased the counsel to confine him in his owne house of Atherny in Fife.

THE SESSION RISETH.

Upon the 7th of Januar, the Lords of Session satt doun to keep session in Edinburgh. Howbeit the pest wold breake up by some new infection, at the height or change of the moone, they preassed not to ryse till the fourth of Februar, that one or two of Fosterseate, one of the Senators of the Colledge of Justice, his servants were sicke, and the sicknesse apprehendit by Fosterseate himself to be the pest. But it was thought, that by reason that the advocates were idle, becaus the subjects, for feare of infection, resorted not to the burgh, that they rose, and intimated the dissolving of the session by open proclamation at the Crosse of Edinburgh.

THE MARQUESE OF HAMMILTON'S DEATH.

Upon the sixt of Marche, sure report was brought hither from court, that the Marqueis of Hammiltoun was dead. Small regrate was made for his death, for the service he made at the last parliament. The brute went that he was poysoned. Soone efter, Doctor Eglesheim fledd to West Flanders, and avowed it in print, and that Buckinghame was guiltie of his death. He alledgeth in the printed book, intituled "The Forerunner of Revenge upon the Duke of Buckinghame," that there was a roll of names found neare to Westminster in King Street, about the time of the Duke of Richmond's death, wherin the names of all these noblemen who have died since is expressed; and amongst the rest, the Marqueis of Hammiltoun, and nixt him, Doctor Eglesheime himself, in these words, "The Marqueis of Hammiltoun, and Doctor Eglesheime to

embalme him." This roll was brought to the marqueis by my Lord Oldbarre's daughter, cousine-germane to the said marqueis. Farther he alledgeth, that the brute went through London, before my Lord Duke of Richmond's death, or his brother's, or my Lord of Southampton, or of the marqueis, that all the noblemen that were not of Buckinghame's faction were to be poysoned, and removed out of his way. Farther he reporteth, that a mountebanke, by Buckinghame's meanes, procured letters, patents, and recommendation from the king, to practise his skill through all England; and that the said mountebanke offered to sell poysone to kill men and beasts. *Item*, That before the Christmas before the marqueis his death, one of the prince's footmen said, that one of the great ones at court had gotten poyson in his bellie, but he could not tell who it was. Efter he was dead, he swelled in sik sort, that his bellie become als bigge as the bellie of an oxe; his armes als bigge as his thighes; his nose could not be seen for the swelling of his cheekes; his breist, neck, shoulders, and armes, full of blisters als great as one's fist, which were of sixe diverse colours, and full of waters of the same colours. The marqueis wold not accomplishe the matche betuixt his sone and the duke's neice, wherupon the duke thus revenged himself upon him.

THE MINISTERS OF EDINBURGH'S AVARICE.

About this time arose great discontentment betuixt the provest, bailiffs, and counsel of Edinburgh, and their ministers, becaus the ministers had procured the king's letter and direction to the magistrats and counsel, for augmentation of their yeerlie stipends. They were not content with twelf hundreth merkes for everie one, beside their house male, which was more than their predecessours, worthier than they, had, but importunatlie craved two thowsand. The people detested them for their ambition, their avarice, and malice at honest and godlie professors. They were well fingerfeld in other men's houses, howbeit they had sufficient to maintaine them at home.

THE KING'S DEATH.

Upon the penult of Marche, by reason of a boysterous and vehement wind blowing in the night, and a hie tide in the sea rysing above the accustomed maner, the ships in the harberie of Leith were so tossed, that manie of them dashing one upon another, were broken and spoiled. Some mariners and skippers, rysing in the night to rescue them, were drowned. The like harme was done in sundrie other parts upon the coast side alongs the Firth, in Saltprestoun, Kirkcaldie, Ardrosse, and other parts; salt-pannes were overthrowne, ships and boats broken, colheughes beside Culross drowned. The like of this tempest was not seene in our time, nor the like of it heard in this countrie in anie age preceiding. It was taken by all men to be a forerunner of some great alteration. And, indeid, the day following, to witt, the last of Marche, sure report was brought hither from court, that the king departed this life, the Lord's day before the 27th of Marche, about the noontide of the day, at Theobald's. Being disappointed of the Christmas Communion through the breaking up of the pest, he resolved to have the Communion celebrate at Easter, in Edinburgh, conforme to the Act of Perth, with great solemnitie. There was noe great appearance that he wold have brought the multitude to conforme; notwithstanding of all his terrours and threatnings to remove the Session. The constancie of the honest men that were troubled gave them good exemple. Whatsoever were the grounds of his hope, he failed in the performance, for the Lord removed him out of the way, fourteene dayes before the Easter Communion. The honest men that were troubled looked for nothing but extremitie. John Hammiltoun and John Meine were ordeaned to enter into their confynes. Johne Hammiltoun gave in a supplication to the counsel for prorogation, but it was refused. But before the time that he sould have entered, the king dyed, and then neither he nor Johne Meene sought anie farther prorogation. William Rig continued confyned in his owne house of Atherney in Fife, fearing to be brought within the danger of the great fyne which the king wold have had exacted of him, till the 20th of September 1626.

The king lay all the time of his sickness almost silent. What he spake was to litle purpose: "Sone Charles, Sone Charles!" and the like. He tooke his viaticum after the English fashioun. He lay speechless from the Fryday at night till the Lord's day following, to witt, the 27th of Marche, groning and sighing heavilie. The last words he used, before he became speechlesse, was by way of answeir to some courteours, willing him to take courage, for he wold be well again. "By God's wounds!" said he, "I will dye if ye had all said it!" Doctour Eglesheime, in his printed booke, setteth doun two vehement presumptions that he was poysouned, to witt, by a plaister or plaisters layde to some parts of his bodie, and by a white powder sprinkled in his drinke, both done by Buckingham's mother, without the advise of the doctors of physicke. The English bishops and deanes have beene so spairing in the commendation of his death, that we may easilie conjecture how he dyed; for suche is their flatterie, that they wold rather have eeked nor omitted. In the time of his sickness, Buckinghame caused baptise a gryse in the chamber where he lay sicke, with the ceremonies requisite, godfathers and the rest; and efter it was baptized, it was chassed up and doun the chamber. The pretense of this horrible profanation or mockerie of the Sacrament was to make the king to laughe. But it was said by manie that heard of it, that it was plaine magicke.

PRINCE CHARLES PROCLAMED KING.

The same day, the counsel being yit still in Edinburgh, having had a counsel the day before, Prince Charles was proclaimed king, betuixt sixe and sevin hours at night. The chancelour, the Earle of Marr, treasurer, the Vicount of Lauderdaill, the Erle of Melrose, president and secretar, my Lord Balmarinothe, and the Bishop of Glasco, were upon the Crosse with the heralds and trumpeters in time of the proclamation. The act of counsel making mention of the king's death, and acknowledging Prince Charles to be our undoubted soveraigne, with promise of loyaltie, fidelitie, and obe-

dience, was redd, and all that were present bidden hold up their hands in token therof. The Earles of Mortoun and Roxburgh were at court in the meane time.

THE MINISTERS OF EDINBURGH COMMEND KING JAMES OUT OF MEASURE.

Upon the Lord's day following, the ministers of Edinburgh commendit King James for the most religious and peaceable prince that ever was in the world; yea, some of them said, that if he had not beene a king but a commoun man, he was the best man in the kingdom. Mr John Adamsone said, King David had moe faults than he had; for he committed both adulterie and murther, wherof our king was not guiltie. Mr Struthers laboured with all the art he had to move the people; but they were not much moved with sorrow and greef for his death.

THE KING'S FUNERALLS.

The funeralls were continued till the 7th of May, which was performed with great magnificence for mater, but without forme and order. The funerall night was so tempestuous with thunder and raine at London, and about, that the like passed the remembrance of man. The chancelour, the treasurer, the treasurer-depute, the president, the Bishop of St Androes, and sundrie others, went to court efter his death, and were manie of them at the buriall.

Mr George Eglisheme, doctor of physick, a Scotish man by birth, and physician to King James, fled out of England to West Flanders, and sett furth a book which was printed in the yeere 1626, wherin he offered to prove, that the Marqueis of Hammiltoun and sindrie other noblemen were poysouned by the Duke of Buckinghame, George Villiers. The booke is intituled, "The Forerunner of Revenge upon the Duke of Buckinghame for the poysoning of the Most Potent King, James, of happie memorie,

King of Great Britaine, and the Lord Marqueis of Hammiltoun, and uthers of the Nobilitie; discoverd by Mr George Eglesheme, one of King James his Physicians for his Majestie's persoun above the space of ten yeeres." The booke consists of two pairts. The first conteaneth his humble complaint to the Most Potent Monarch, Charles, King of Great Britaine, in the end wherof he has these words: "Your Majestie may find most just forces of reasoun to accuse him in my petitioun to the Parliament, which sall serve for a tuichstone to your Majestie, and a tuichestone to me and manie other Scotish men. Which, if it be neglected, will make your Majestie to incurre suche a censure amongs all vertuous men in the world, that your Majestie will be loath to heare of, and I am astonied to expresse at this time. A serpent lurketh in this grasse. No other way there is to be found to save your honour, but to give way to justice against that tratour Buckinghame." The other part conteanes a petition or humble supplication to the Most Honourable the Nobilitie, Knights and Burgesses of both the Houses of Parliament; the first part wherof concerneth the poysoning of the Marqueis of Hammiltoun. The other part concerneth the poysoning of the king, which heere followeth word by word:—

CONCERNING THE POYSONING OF KING JAMES, OF HAPPIE MEMORIE, KING OF GREAT BRITAINE, ETC.

"The Duke of Buckinghame being in Spaine, advertised by letters, how that the king begoud[1] to censure him in his absence freelie, and that manie spoke boldlie to the king against him; and how the king had intelligence from Spaine of his unworthie cariage in Spaine; and how the Marqueis of Hammiltoun, upoun the suddaine newes of the prince his departure, had noblelie reprehendit the king, for sending the prince with suche a young man without experience, and in suche a private and suddaine maner, without acquainting the nobilitie or counsel therewith, wrote a verie bitter

letter to the Lord Marqueis of Hammiltoun, conceaved new ambitious courses of his owne, and used all the devices he could to disgust the prince his minde of the matche with Spaine, so farre intendit by the king, made haiste home: where, when he came, he so caried himself, that whatsoever the king commanded in his bedchamber, he controlled in the nixt chamber; yea, receaved packets to the king from forraine princes, and dispatched answeirs, without acquainting the king therewith not in a great tyme therafter. Wherat, perceaving the king highlie offended, and that the king's minde was beginning to alter towards him, suffering him to be querrelled and effronted in his Majestie's presence, and observing that the king reserved my Lord of Bristow to be a rod for him, urging daylie his dispatche for France, and expecting the Erle of Gondomar his comming to England in his absence; feared muche that the Erle of Gondomar, who, as it seemed, was greatlie esteemed, and wonderfullie credited by the king, would secund my Lord of Bristow's accusations against him. He knew also that the king had vowed, that in despite of all the devills of hell, he would bring the Spanishe matche about againe; and that the Marqueis of Quechosa had given the king bad impressions of him, by whose articles of accusation the king himself had examined some of the nobilitie and privie counsell, and found out in the examinatioun, that Buckinghame had said after his comming from Spaine, that the king was an old man, it was now tyme for him to be at his rest, and to be confynned to some parke, to passe the rest of his tyme in hunting, and the prince to be crowned. The more the king urged him to be gone to France, the more shifts he made to stay, for he did evidentlie see that the king was fullie resolved to rid himself of the oppressioun wherin he held him.

"The king being sicke of a certane ague, and that in the spring, which was of itself never found deidlie, the duke tooke his opportunitie, when all the king's doctors of physick were at dinner, upoun the Moonday before the king died, without thair knowledge or consent, offered to the king a whyte powder to take, the which the king long tyme refused; but overcome by his flattering impor-

tunitie, at lenth tooke it, drunke it in wyne, and immediatlie become worse and worse, falling into manie soundings, and paines, and violent fluxes of the bellie, so tormented, that his Majestie cryed out aloud, 'O this whyte powder! this whyte powder! Would to God I had never taikin it; it will cost me my lyfe!' In lyke maner, the Countesse of Buckinghame, my Lord of Buckingham's mother, upon the Fryday therafter, the physicians also being absent, and at dinner, and not made acquainted with her doings, applyed a plaister to the king's heart and breast, wherupon his Majestie grew faint, short breathed, and in great agonie. Some of the physicians returning after dinner to see the king, by the offensive smell of the plaister, perceaved something to be about the king hurtfull to him, and searched what it could be; found it out, and exclaimed that the king was poysouned. Then Buckinghame entering, commanded the physicians out of the roome, caused one to be committed prisoner to his awin chamber, and another to remove from court; querrelled others of the king's servants in the sicke king's owne presence so farre, that he offered to draw his sword against them in the king's sight. And Buckingham's mother kneeling before the king with a brazen faice, cryed out, 'Justice, justice, Sir! I demand justice of your Majestie.' The king asking for what, she answered, 'For *that* which their lyves *is no sufficient satisfactioun*: for saying that my sonne and I have poysouned your Majestie.' 'Poysoning me?' said the king. With that, he turning himself, sounded, and she was removed. The Sonday therafter, the king died, and Buckinghame desired the physicians who attended the king to signe with their handwritts a testimonie, that the powder which he gave the king was a good and a safe medicine; which they refused to doe. Buckingham's creatures did spread abroad a rumour in Londoun, that Buckinghame was so sorie at the king's death, that he would have died; that he would have killed himself, if they had not hindered him. Which your petitioner purposelie inquired of them that were neere him at that tyme, who said, that nather in the tyme of the king's sickness, nor after his death, he was more moved than if there

had never happenned ather sickenesse or death to the king. One day, when the king was in great extremitie, he road post to Londoun, to persew his sister-in-law, to have her stand in sackecloth at Paule's, for adulterie. Another tyme of the king's ague, he was bussie contryving and concluding a mariage for one of his cousins. Immediatlie after the king's death, the physician who was commanded to his chamber was sett at libertie, with a caveat to hold his peace; the others threatned, if they keeped not good tongues in their heads. But, in the meane tyme, the king's bodie and head swelled above measure, his haire, with the skin of his head, stucke to the pillow, his nailes become loose upon his fingers and toes. Your petitioner needeth to say no more to understanding men. Onlie one thing he beseecheth, that taiking the tratour, who ought to be taiken without anie feare of his greatnesse, the other maters be examined, the accessories with the guiltie punished."

END OF VOLUME SEVENTH.

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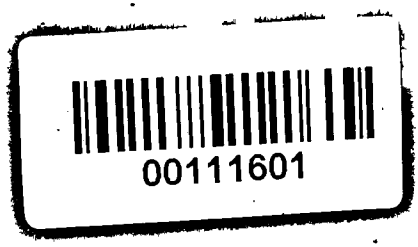
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